Dec 15. Reversed, Nelson

1881

SUPREME COURT OF THE UNITED STATES.

No. ~~220~~. ~~43~~ 85 ~~64~~. ~~42~~. 39.

37.

THE UNITED STATES, PLAINTIFFS IN ERROR,

v.

JEREMIAH Y. DASHIELL AND ISAIAH A. PASCHAL.

IN ERROR TO THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF TEXAS.

G. S. GIDEON, Printer, No. 511 Ninth Street, Washington, D. C.

Mo. March 16/66

SUPREME COURT OF THE UNITED STATES.

No. 220.

THE UNITED STATES, PLAINTIFFS IN ERROR,

v.

JEREMIAH Y. DASHIELL AND ISAIAH A. PASCHAL.

IN ERROR TO THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF TEXAS.

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United States of America.

District Court of the United States for the Western District of Texas, holding and exercising the powers and jurisdiction of a Circuit Court, sitting at Austin, in said Western District of Texas, for the January term, A.D. 1860.

At a term of the District Court of the United States for the Western District of Texas, begun and held at the city of Austin, for the January term, A.D. 1860, present the Hon. Thomas H. Duval, judge of said court, William C. Young, United States Marshal, ——— Warren, United States Attorney, and Matthew Hopkins, clerk, among other the following proceedings were had:

Title of Cause.

THE UNITED STATES
v.
JEREMIAH Y. DASHIEL and ISAIAH A. PASCHAL. } No. 523.

Suit on Paymaster's Bond.

Be it remembered that heretofore, to wit, on the 26th day of January, A.D. 1859, came the plaintiffs, by their attorney, R. B. Hubbard, then United States District Attorney for the Western District of Texas, and filed their petition herein, which is indorsed:

The United States *v.* Jeremiah Y. Dashiel and I. A. Paschal. Original petition. Filed January 26th, 1859. Matthew Hopkins, clerk. R. B. Hubbard, U. S. Att'y. Process issued February 26th, 1859. M. Hopkins, clerk.

And is in words and terms as follows:

Petition.

United States of America, Western District of Texas.

In the District Court of the United States for the Western District of Texas, sitting at Austin, January Term, A.D. 1859.

To the Hon. Thomas H. Duval, judge of the United States District Court for the Western District of Texas.

Your petitioner, the United States of America, would respectfully represent unto your honor, that on the sixth day of March, in the year of our Lord one thousand eight hundred and fifty-five, at Charleston, in the State of South Carolina, one Jeremiah Y. Dashiel, who is a resident citizen of Bexar county, in said district, one Isaiah A. Paschal, also of said district, and and one Hanson Alsbury, who died before the bringing of this suit, and is not sued in this action, executed their certain penal bond to your petitioner, by which they then and there acknowledged themselves to be holden and stand firmly bound and obliged unto the United States of North America, or their certain attorney, in the penal sum of twenty thousand dollars, current money of the said United States, well and truly to be paid into their treasury; for which payment, faithfully to be made and done, they, the said Jeremiah Y. Dashiell, the said Isaiah A. Paschal, and Hanson Allsbury, bound themselves and each of them, their heirs, executors, and administrators, jointly and severally, and firmly, by the said penal bond, which they then and signed, sealed, and delivered, to your petitioner.

Your petitioner would further represent, that the said penal bond was and is subject to a condition thereunder written to the effect that the said Jeremiah Y. Dashiell was a paymaster in the army of the United States; and that being a paymaster as aforesaid, further reciting, that if the said Jeremah Y. Dashiell shall well and truly execute and faithfully discharge according to law, and to instructions received by him from proper authority, his duties as paymaster as aforesaid; and he, his heirs, executors, and administrators, shall regularly account, when thereto required, for all moneys received by him from time to time, as paymaster aforesaid, with such person or persons as shall be duly authorized and qualified on the part of the said United States for that purpose, and also refund at any time when thereto required, any public moneys remaining in his hands unaccounted for; then said obligation shall be null, void, and of no effect, otherwise to remain and be in full force and virtue.

And your petitioner alleges, that the said Jeremiah Y. Dashiell did not well and truly execute, and perform, and discharge his duties as paymaster aforesaid; nor did the said Jeremiah Y. Dashiell regularly account, when thereto required, for all moneys received by him as paymaster aforesaid, according to law; nor did the said Jeremiah Y. Dashiell refund at any time, when thereto required, the public moneys remaining in his hands unaccounted for, as paymaster aforesaid, but failed and refused so to do in this, to wit:

That on the fifteenth day of September, in the year of our Lord one thousand eight hundred and fifty-eight, the said Jeremiah Y. Dashiell had in his hands, as paymaster aforesaid, a large sum of money, to wit, the sum of twenty thousand and eighty-five dollars and seventy-four cents, which said sum was a balance then due and owing to petitioner; and which said sum had come to his hands as paymaster aforesaid, to and for the use of petitioner, as will more

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fully and at large appear by reference to an authenticated transcript of his account with the treasury department, which will be produced on the trial of this cause.

And your petitioner represents further, that the said Jeremiah Y. Dashiell, paymaster as aforesaid, being so indebted, and in consideration thereof, undertook and faithfully promised your petitioner to pay the said twenty thousand and eighty-five dollars and seventy-four cents, when he should be thereto required or requested; yet though often requested, the said Dashiell, paymaster as aforesaid, hath not paid the same nor any part thereof; but wholly fails and refuses so to do, to the damage of petitioner one hundred thousand dollars. By means whereof, and by force of the statute in such case made and provided, and the said breaches in said penal bond, your petitioner alleges, that a right hath accrued to petitioner to recover from the said Jeremiah Y. Dashiell, the said Isaiah A. Paschal, who signs his name J. A. Paschal, and the said Allsbury (who died before the commencement of this suit, and who is not sued in this action) the sum of twenty thousand dollars, the amount named in said penal bond, together with lawful interest and all costs of suit; wherefore, petitioner brings this suit, and prays your honor to order a citation to issue to the defendants, the said Jeremiah Y. Dashiell and Isaiah A. Paschal, commanding them to appear at the next term of your honorable court, then and there to answer this petition; and that upon the hearing of the same, your honor will order and adjudge that the defendants, Jeremiah Y. Dashiell and Isaiah A. Paschal, pay to your petitioner the sum of twenty thousand dollars, and for such other and further general relief as petitioner may be entitled to, and in duty bound will ever pray, &c.

RICHARD B. HUBBARD,
U. S. Att'y of West. Dist. Texas.

And afterwards, to wit, on the 26th day of February, A.D. 1859, there issued from the clerk's office of the aforesaid U. S. District Court, citation directed to the defendant, Jeremiah Y. Dashiell, which is indorsed, to wit:

No. 523, L. In United States District Court, Western District of Texas, at Austin holding sessions. The United States *v.* Jeremiah Y. Dashiell and Isaiah A. Paschal. Citation to Jeremiah Y. Dashiell, issued February 26, 1859. Matthew Hopkins, clerk. R. B. Hubbard, U. S. Attorney for plaintiffs. Received in office March 4th, 1859. Thos. W. Masterson, acting U. S. M.

And which citation is in words, to wit:

Citation to J. Y. Dashiell.

United States District Court, Western District of Texas.

The President of the United States, to the Marshal of the Western District of Texas, greeting:

You are hereby commanded to summon Jeremiah Y. Dashiell, if to be found in your district, to be and appear before the honorable, the District Court of the United States, at a court to be holden in and for the Western District of Texas, at the city of Austin, on the first Monday of June next, to answer to the petition and complaint of the United States; a copy of which is hereto annexed, against Jeremiah Y. Dashiell and Isaiah A. Paschal, in an action of debt on bond, of which you will serve the said defendant Jeremiah Y. Dashiell, with the accompanying copy of said petition.

[SEAL.] Witness, the Hon. Thomas H. Duval, judge of said court, and seal of court, at the city of Austin, this 26th day of February, A.D. eighteen hundred and fifty-nine, and eighty-third year of the independence of the United States of America.

MATTHEW HOPKINS,
Clerk.

The return of the marshal, by his deputy, is indorsed thereon in words, to wit:

Return of service on Dashiell.

Came to hand March 7th, 1859. Executed on the 12th day of the above named month, by handing in person to the within named defendant, Jeremiah Y. Dashiell, a true copy of the within citation, and a like copy of the petition in the cause, both certified by the clerk.

86 miles, . . .	$5 16
Service, . . .	2 00
	$7 16

WM. YOUNG,
U. S. Marshal West. Dist. Texas.
By SAM'L NEWTON,
Deputy.

And indorsed by the clerk, to wit:

Service filed March 25th, 1859. M. Hopkins, clerk. Like process issued to the defendant, Isaiah A. Paschal, which is indorsed in words, to wit:

No. 523, L. In United States District Court, Western District of Texas, at Austin holding sessions. The United States *v.* Jeremiah Y. Dashiell et als. Citation to Isaiah A. Paschal, issued February 26, 1859. Matthew Hopkins, clerk. Received in office March 4, 1859. Thos. W. Masterson, acting U. S. M.

The citation is in words, to wit:

Citation to Isaiah A. Paschal.

United States District Court, Western District of Texas.

The President of the United States, to the Marshal of the Western District of Texas, greeting:

You are hereby commanded to summon Isaiah A. Paschal, if to be found in your district, to be and appear before the honorable, the District Court of the United States, at a court to be holden in and for the Western District of Texas, at the city of Austin, on the first Monday of June next, to answer to the petition and complaint of the United States, a copy of which is hereto annexed, against Jeremiah Y. Dashiell and Isaiah A. Paschal, in an action of debt on bond, of which you will serve the said defendant, Isaiah A. Paschal, with the accompanying copy of said petition.

[SEAL.] Witness, the Hon. Thomas H. Duval, judge of said court, and seal of court, at the city of Austin, this 26th day of February, A.D. eighteen hundred and fifty-nine, and eighty-third year of the independence of the United States of America.

MATTHEW HOPKINS,
Clerk.

The marshal's return, by his deputy, is indorsed thereon in words to wit:

Return of service on Isaiah A. Paschal.

Came to hand, March 7th, 1859. Executed on the 12th day of the above named month, by handing in person to the within named defendant, Isaiah A. Paschal, a true copy of the within citation, and a like copy of the petition in the cause, both certified as such by the clerk.

80 miles, . . .	$4 80
Service, . . .	2 00
	$6 80

WM. YOUNG,
U. S. Marshal West. Dist. Texas.
By SAM'L NEWTON,
Deputy.

And further indorsed by the clerk:

Service filed March 26, 1859. Matthew Hopkins, clerk.

And afterwards, to wit, at the June term, A.D. 1859, to wit, on the ninth day of June, A.D. 1859, came the defendants, by their attorneys J. A. and Geo. W. Paschal, and filed their answer herein, which is indorsed, to wit:

No. 523, L. The United States *v.* Jeremiah Y. Dashiell et al. Defendants' answer, filed June 9th, 1859. M. Hopkins, clerk. Paschals, Pro Defendants.

And which answer is in words, to wit:

Answer of Defendants.

THE UNITED STATES
v.
JEREMIAH Y. DASHIELL et al. } No. 523.

And now comes the defendants, and deny all and singular the allegations in the plaintiff's petition, and say that they do not owe the plaintiff in manner and form as therein alleged against them. And for further answer these defendants say, that if ever the said Dashiell was indebted to the United States for any such balance as that by the plaintiff set forth, the same was while he was acting as paymaster and agent of the United States, and that while so acting, to wit, at Charleston, on the   day of June, A.D. 1857, the said Dashiell received from the government of the United States, at Charleston, twenty-eight thousand dollars, to carry to Florida, and to pay off some United States troops; and that while in the care and custody of said money, and soon thereafter, to wit, at Pilatka, in Florida, this defendant was robbed of two bags of said gold belonging to the United States, the one containing eight thousand, the other five thousand dollars, making thirteen thousand dollars. And this defendant says that robbery was not caused by any want of diligence, but while the defendant was in the exercise of the utmost diligence on his part; that the robbery was beyond his control, and these defendants therefore are entitled to a credit for said sum of money, and therefore they pray judgment. And further these defendants say, that even if the said Dashiell was indebted to the United States in any such sum of   upon his bond, which is not admitted, but denied, that afterwards, to wit, on the 15th day of September, A.D. eighteen hundred and fifty-eight, to wit, at the district aforesaid, the said Dashiell paid out and distributed for the use and benefit of the United States, the said sum of twenty thousand dollars, all of which the said defendants are ready to verify; and therefore they pray judgment, &c.

J. A. & GEO. W. PASCHAL,
Attorneys for Defendants.

Motion for Continuance and Statement.

And thereupon the defendants, by their attorney, George W. Paschal, moved the court for a continuance of this cause until the next

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term of said court, upon their statement filed; which statement is in words, to wit: Indorsed: Nos. 523, 524, 525. The United States *v.* J. Y. Dashiell. Statement. Indorsed by the clerk, to wit: "Filed June 9th, 1859. M. Hopkins, clerk." Paschal.

Which statement is in words, to wit:

THE UNITED STATES
v.
J. Y. DASHIELL et al.
} No. 523.

The attorney for defendants, George W. Paschal, says that he cannot go safely to trial, for want of the evidence of J. O. Deval, Pilatki, Florida; that due diligence has been used for obtaining his evidence, by forwarding questions and instructions for examining him *de bene esse;* that, by a letter from Deval, witness knows that his evidence is material to prove the defence; that the instructions were sent, as soon after service of process as the address and instructions could be got and returned, and long enough for their return, if no miscarriage had occurred; that the fees were sent to a proper commissioner; that the defendant expects to procure his evidence by the next term, and this application is not made for delay, but that justice may be done.

GEO. W. PASCHAL.

And afterwards, upon the hearing of the foregoing application, the following entry was made of the order of the court thereon, spread upon the minutes, to wit, in words as follows:

Order and Entry of Continuance.

THE UNITED STATES
v.
J. Y. DASHIELL and ISAIAH A. PASCHAL.
} No. 523.

Thursday morning, June 9th, 1859.

This day came the parties by their attorneys,—the United States by R. B. Hubbard, and the defendants by George W. Paschal,—and the defendants move the court, on their affidavit filed for a continuance of this and the two following cases. The plaintiff, by her attorney, resists the application. After argument, the objections of plaintiff were overruled, and the cause continued, as on affidavit of the defendant.

And afterwards, to wit, at the January term, A.D. 1860, came the defendants, by their attorneys, and filed their amended answer in the cause which is indorsed: No. 523. The United States *v.* Jeremiah Y. Dashiell and Isaiah A. Paschal. Amended answer. Indorsed by the clerk, "Filed January 11th, 1860. Matthew Hopkins, clerk." Which answer is in words, to wit:

Amended Answer of Defendants.

In the United States District Court.

THE UNITED STATES
v. } No. 523.
J. Y. DASHIELL and I. A. PASCHAL.

And now at this term came the defendants, and amend their answer in this behalf, by leave of the court first had and obtained. And the defendants say, that while the said Dashiell was the paymaster of the United States army, in the discharge of his duties, to wit, at Charleston, in the State of South Carolina, on the fifteenth day of June A.D. 1857, the said Dashiell received from the custom-house officer of the United States for the district of Charleston, the sum of twenty-eight thousand dollars in gold, contained in canvas bags, for the purpose of paying off the troops of the United States at Forts Dallas, Key West, and Capron, in the State of Florida; and thereupon the said Dashiell became charged as agent, officer, and paymaster of the United States, in the proper discharge of his duty, to go to Indian river and other places in Florida, in order to disburse said money, as agent of the United States, and on his proper journey the said Dashiell was compelled to stop at Pilatka, in Florida, and to remain for several days at a hotel awaiting passage; and while remaining at Pilatka, in Florida, with the money under his care and keeping, and in the exercise of proper diligence as paymaster and agent of the United States, he the said Dashiell was robbed of a large portion of said money, to wit, thirteen thousand dollars; and the said Dashiell, after the most diligent search after said money, was only able to recover the sum of three thousand three hundred and twenty-five dollars of said money. Wherefore they say, that the loss of the remaining sum of nine thousand and six hundred and seventy-five dollars should not properly fall upon the defendants, but upon the United States; and they claim a deduction of said sum so lost while in the exercise of due diligence in taking care of the money of the United States, as its officer and agent. All of which facts they are ready to verify, and therefore pray judgment, &c.

I. A. & GEO. W. PASCHAL,
Attorneys for Defendants.

And on the same day, to wit, on the 11th January, 1860, the following entry appears upon the minutes, to wit:

Entry, leave to amend, and set down for hearing.

THE UNITED STATES
v. } No. 523.
JEREMIAH Y. DASHIELL and ISAIAH A. PASCHAL.

Wednesday, January 11th, 1860.

Now on this day came the parties by their attorneys, the plaintiff by Jas. F. Warren, United States attorney, and the defendants by Paschal, and, leave of the court being first had, the defendants amend their pleadings in this case, and by agreement the cause was set for Monday next, or as soon thereafter as the case may be heard.

And afterwards, to wit, on the 16th day of January, A.D. 1860, the following entry appears upon the minutes of the court, in words to wit:

Jury Impanelled and Entry.

THE UNITED STATES
v.
JEREMIAH Y. DASHIELL and ISAIAH A. PASCHAL. } No. 523.

Monday, January 16th, 1860.

On this day came the parties by their attorneys,—the government by Robards and the United States district attorney, and the defendants by Paschals, their attorneys,—and upon the pleas and issues joined. Thereupon came a jury of twelve good and lawful men of the western district of Texas, duly called, accepted, impanelled, and sworn, to wit: Francis T. Duffau, W. O. Hutchinson, Thomas H. Espey, James Stewart, Thomas R. Huling, W. H. Lewis, W. T. Olaunch, Job Hobbs, J. Antonio G. Navarro, George G. Hubbard, G. B. Goodrich, A. H. Barnes; and thereupon the case proceeded until the hour of adjournment; and the court having instructed the jury to hold no converse with each other, or in anywise in relation to this case, it was ordered, that court do now adjourn, to meet to-morrow morning, at ten o'clock.

And afterwards, to wit, Tuesday, January 17th, 1860, the following entry appears upon the minutes, in words to wit:

Trial Entry.

THE UNITED STATES
v.
JEREMIAH Y. DASHIELL and ISAIAH A. PASCHAL. }

Tuesday, January 17th, 1860.

Now came the parties by their attorneys, and came also the jury impanelled in this case, and the evidence being closed, and near the hour of adjournment, the further consideration of the case was adjourned over until the morrow, the jury having received the same instructions from the court as on yesterday.

And afterwards, on the day following the aforesaid, the following entry appears upon the minutes, in words to wit:

Trial Entry.

THE UNITED STATES
v.
JEREMIAH Y. DASHIELL and ISAIAH A. PASCHAL. } 523.

Wednesday, January 18th, 1860.

And now came the parties by their attorneys. The jury, on call, having answered to their names, the evidence being closed, the court was occupied in hearing the argument of counsel until the hour of adjournment. The argument being closed, the court reserved its charge to the jury until to-morrow morning, the jury receiving the same instructions from the court as was given yesterday.

And afterwards, on the day following, to wit, on Thursday, January 19th, 1860, there appears upon the minutes of the court the following entry, in words to wit:

Verdict.

THE UNITED STATES
v.
JEREMIAH Y. DASHIELL and ISAIAH A. PASCHAL. } No. 523.

Now on this day came the parties by their attorneys, and came also the jury impanelled in this cause, to receive the charge of the court; and the court having charged the jury, they retired, in charge of an officer of the court, to consider of their verdict, and returned into court with the following verdict:

"We, the jury in the case of the United States *v.* Dashiell, find a judgment for the plaintiff, for the sum of $10,318 22.

"FRANCIS F. DUFFAU,
"Foreman."

Judgment.

It is therefore considered by the court that the plaintiff, the United States, have and recover of the defendants, Jeremiah Y. Dashiell and Isaiah A. Paschal, the sum of ten thousand three hundred and eighteen dollars and twenty-two cents, their damages as aforesaid assessed by the jury, together with all their costs in this behalf in and about this suit expended, to be taxed, and for which execution may issue.

And on the same day, the plaintiffs, by her attorneys, filed motion for new trial; which is indorsed, to wit: The United States *v.* Dashiell & Paschal. 523. Motion for new trial. And indorsed, Filed January 19th, 1860. M. Hopkins, clerk. And is in words to wit:

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Plaintiffs' Motion for New Trial.

In the United States Court.

THE UNITED STATES
v.
DASHIELL and PASCHAL.

And now come the said plaintiff, and moves the court to grant a new trial in the above-stated cause.

1st. The verdict of the jury was contrary to the law and the evidence.

2d. Because the court's charge was contrary to law.

3d. Because the court admitted illegal testimony to go the jury.

4th. Because the court refused to give the charges asked by plaintiff.

JAMES F. WARREN,
U. S. Attorney.
ROBARDS & ROBARDS,
For Motion.
I. A. & G. W. PASCHAL,
Contra.

Defendants' Motion in Arrest of Judgment.

And on the following day, the defendants, by their attorney, filed their motion in arrest of judgment, which is indorsed: No. 523. The United States *v.* Dashiell & Paschal. Motion in arrest of judgment. And indorsed: Filed January 20th, 1860. M. Hopkins, clerk. Paschal. And is in words as follows:

THE UNITED STATES
v. No. 523.
JEREMIAH Y. DASHIELL & ISAIAH A. PASCHAL.

The defendants move to arrest the judgment, because only two of the parties to the bond are sued, and there is no sufficient averment as to why the maker, Alsbury, was not sued.

2d. The two parties sued are improperly joined in the action, as the plaintiff was obliged to sue one or all.

I. A. & GEO. W. PASCHAL,
For Defendants.

And on the following day to wit, January 21st, 1860, the plaintiffs by their attorneys, filed their motion in arrest of judgment, which is indorsed to wit: 523. The United States *v.* Dashiel & Paschal. Motion in arrest of judgment. Indorsed: Filed January 21st, 1860. M. Hopkins, clerk. And is in words, to wit:

Plaintiffs' Motion in Arrest of Judgment.

In the United States District Court, sitting at Austin, in and for the Western District of Texas.

THE UNITED STATES, plaintiffs, *v.* DASHIEL & PASCHAL, defendants.	Debt on Bond.

And now come the said plaintiff and moves the court in arrest of judgment:

1st. Because the court erred in the permitting illegal evidence to go to the jury.

2d. Because the court erred in its charge to the jury.

3d. Because the court erred in overuling the motion for a new trial.

JAMES WARREN,
U. S. D. Attorney.
And ROBARDS & ROBARDS,
For Motion.
I. A. & G. W. PASCHAL,
Contra.

All of which motions for new trial and in arrest of judgment of plaintiff and defendant, were specially and severally overruled by the court, by the indorsement of the judge on the motion docket, under each in words, to wit:

Motions overruled.

"The above motion overruled.

"T. H. DUVAL."

And now the plaintiffs and defendants, having severally filed their bills of exceptions on the 19th of January, 1860, and having been signed by the judge, are made of record.

The plaintiff's bill of exceptions is indorsed to wit: The United States *v.* Jeremiah Y. Dashiel and Isaiah A. Paschal. (Indorsed): "Filed January 19th, 1860. M. Hopkins, clerk." Plaintiff's bill of exceptions. And is in words as follows:

Plaintiffs' Bill of Exceptions.

In the District Court of the United States, sitting at Austin, in and for the Western District of Texas.

THE UNITED STATES, plaintiff, *v.* DASHIEL & PASCHAL, defendants.	523. Debt on Bond.

Be it rememembered on the trial of the above stated cause, the

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plaintiff offered and read in evidence, the bond sued on, which is in the words and figures following, to wit: (See first page defendants' bill of exceptions.)

The plaintiff then offered and read in evidence a transcript of the account of defendant Dashiell, as paymaster, with the treasury department, showing a balance due the treasury of $19,085 73, on the 31st day of March, A.D. 1858, and the account of the treasury of the United States with the defendant Dashiell, showing a balance in favor of the United States of $19,051 31, on the 28th April, A.D. 1858; also a statement of the department, showing the balance due the department by the defendant Dashiell, including interest on sums received by him, and which he had failed to account for, amounting in all to $20,085 74, on the 15th September, A.D. 1858, all of which were duly authenticated by the secretary of the treasury. The said account, showing the several items in detail, with which defendant Dashiell was charged, and vouchers accompanying. The plaintiff then offered and read in evidence, copies of the requisitions of the defendant Dashiell made while paymaster, and of warrants drawn by him as such in support of said account, duly and properly authenticated, and closed his case. Whereupon, the defendants offered to read in evidence the depositions of Henry R. Teasdale, Exhibit "B.;" of James Burt, marked Exhibit "C.;" of James O. Devall, marked Exhibit "D.;" of private John Rowles, marked Exhibit "E.;" of captain J. Vogdes, marked Exhibit "F.;" and proceedings in a justice of the peace court in Florida, marked Exhibit "G." To the reading of all this evidence to the jury the plaintiff objected generally, and moved the court to exclude the same.

1st. Because all of said evidence tended to prove an alleged robbery of $13,000, from the defendant Dashiell, as paymaster, plead by way of set-off, or reduction of damages, and that such set-off could not be plead or read or admitted, by way of reduction of damages, in a suit on bond.

2d. Because all of said evidence tended to prove a set-off, but the defendants had not put themselves in the proper position to offer evidence in proof of a set-off, not having laid the predicate therefor in this. The defendant Dashiell, had not presented his claim to be examined, allowed, and credited, to the accounting officers of the treasury, and by them *and by them* disallowed; nor had he offered any proof to the court to show that he was in possession of vouchers not before in his power to procure, nor any proof tending to show that he was prevented from exhibiting his claim for such credit at the treasury, by absence from the United States, or any unavoidable accident, which general objections the court overruled, and permitted the said evidence to be read, subject to special objections, which evidence is as follows, to wit: Exhibits "B.," "C.," "D.," being the depositions of Henry R. Teasdale, James Burt, and James O. Devall, and which are in words to wit:

United States of America, District Court of the United States for the Western District of the State of Texas.

UNITED STATES OF AMERICA *v.* JEREMIAH Y. DASHIELL & ISAIAH A. PASCHAL.	District of Western Texas.

On this 19th day of November, A.D. 1859, personally appeared before me, John C. McMillan, clerk of the Circuit Court of the County of Putnam, in the State of Florida, and ex officio Judge of Probate in and for said county, Jeremiah Y. Dashiel, who, being by me duly sworn, deposes and says, that he is one of the defendants in the above entitled cause, that said cause is pending in said court, that James O. Devall, Henry R. Teasdale, and James Burt, of the town of Palatka, in the county of Alachua, in the State of Florida, are material witnesses for the defendant, whose testimony is necessary in said cause, and on the trial thereof, as the deponent is advised and believes, and further that said witnesses, James O. Devall, Henry R. Teasdale, and James Burt, reside at Pilatka, in the county of Putnam, in the State of Florida, and that the said witness, Howell A. Baisden, resides at Starke, in the county of Alachua, in the State of Florida, and that said witnesses reside at a greater distance than one hundred miles from the place of trial of said cause. And deponent further says, that he is informed and believes, that there is no attorney of the United States within one hundred miles of the place of taking the depositions of said witnesses, or either of them, that the place where the examination of the said witnesses is expected to be taken, is in the town of Palatka, in the county of Putnam, in the State of Florida.

Subscribed and sworn before me, this 19th November, A.D. 1859.

J. Y. DASHIELL,
JNO. C. McMILLAN, [SEAL.]
Clerk Circuit Court, Putnam Co., Florida.

United States of America, District Court of the United States for the Western District of Texas.

UNITED STATES OF AMERICA *v.* JEREMIAH Y. DASHIELL & ISAIAH A. PASCHAL.	District of Western Texas.

Let James O. Devall, Henry R. Teasdale, James Burt, and Howell A. Baisden, the witnesses named in the foregoing affidavit, be examined de bene esse before me, accordingly, at Pilatka, in the county of Putnam, in the State of Florida, on the 19th day of November, A.D. 1859, at 10 o'clock, A.M.

United States of America, District Court of the United States for the District of Western Texas.

UNITED STATES OF AMERICA *v.* JEREMIAH Y. DASHIELL & ISAIAH A. PASCHAL.	District Court, Western Texas.

Be it remembered that by virtue of the acts of Congress, entitled an act for the more convenient taking of affidavits and bail in civil causes depending in the courts of the United States, passed February 20th, 1852, " An act in addition to an act entitled An act for the more convenient taking of affidavits and bail in civil causes depending in the courts of the United States," passed March 1st, 1817, and the act entitled An act to establish the Judicial Courts of the United States, passed September 24th, 1789. I, John C. McMillan, clerk of the Circuit Court for the County of Putnam, in the State of Florida, and ex officio Judge of Probate in and for said county of Putnam, residing at Palatka, in the said county of Putnam, in the State of Florida, after having by order previously appointed the day for the examination, in accordance with said order, have this day caused to come before me, James O. Devall, Henry R. Teasdale, and James Burt, the witnesses in the above entitled cause, to be examined on the application and on the part and behalf of Jeremiah Y. Dashiel, the defendant in said cause now pending in the United States Court in and for the Western District of the State of Texas. And I further certify that said witness, James O. Devall, Henry R. Teasdale, and James Burt, are each of them persons of sound mind and lawful age; and that after being by me first carefully examined and cautioned and sworn to testify the whole truth and nothing but the truth, Henry R. Teasdale did depose and say: that he is forty years of age; that he resides at Palatka, in the county of Putnam and State of Florida; that his trade or occupation is that of merchant: and the said James O. Devall did depose and say, that he is fifty-two years of age; that he resides at Palatka, in the county of Putnam, in the State of Florida; that his trade or occupation is that of hotel keeper, &c. And the said James Burt did depose and say, that he is thirty years of age; that he resides at Palatka, in the county of Putnam, in the State of Florida; that his trade or occupation is that of banker. And the said Henry R. Teasdale deposes and anwers as follows, to the interogatories hereunto attached :

Answer to first interrogatory. To the first interrogatory he deposes and says as follows : He is acquainted with Major Dashiell; he has been acquainted with him since forty-six or seven, at New Orleans, and since.

Answer to second interrogatory. He answers that he, Major Dashiell, was here about that time.

Answer to third interrogatory. He answers that he knew him as an acquaintance, and believed him to be on his tour of payments to the United States troops at Indian river. While here at Palatka, he stopped at James O. Devall's house. He can't state how long the major was here. He was here as a public officer. I had always known him as a paymaster in the United States army, and believed him to be in Palatka in the discharge of his official duties.

Answer to the fourth interrogatory. He answers, he was accompanied by a soldier, and I should think as an escort.

Answer to the fifth interrogatory. He answers, "that some time in August, A.D. 1857, I learned that a sum of money in gold had been taken from some negroes in this town, by the town marshal, &c., &c. On the return of Col. James O. Devall from Savannah, bringing back his negro boy Washington, he told me that the boy confessed to having robbed a gentleman in his house, some weeks previous, of a large amount of money, whom he identified as accompanied by a soldier, and, as I have above stated, moneys having been found in the possession of other negroes, he desired me to aid him in investigating the circumstances connected with it.

Col. Dawkins, the State solicitor for the judicial circuit, conducted the examination, assisted by Col. Hickman, Col. Devall, and myself. Washington's, the negro's, statement, was substantially this, that taking advantage of the temporary absence of the major from his chamber, just before he (the major) was to leave for Enterprise on the steamer, that he, Washington, entered the travelling bag, the same being in the room and at the time locked, and abstracted certain moneys therefrom, which moneys he hid between the mattresses of the bed until night gave him an opportunity further to secrete them. He counted the money on reaching his room, and found the sum to be four thousand five hundred dollars ($4500). In the investigation the evidence elicited nothing that could be relied on. The statements of the boy, likewise of the several negroes, and there were a great many implicated or suspected, was contradictory to each other, and in nearly every instance contradictory and prevaricating in itself. After investigating the matter for days continuously, and from time to time since, nothing has been developed beyond the recovery of the sum of money, three thousand two hundred and forty dollars, by the town marshal as referred to above, not from the boy Washington, but from other negroes, and a small additional sum obtained since by Col. Devall from a third party of negroes, making altogether recovered, three thousand three hundred and twenty-five dollars ($3325), which has been turned over to Major Dashiel. Col. Dawkins has since removed to Gainesville, in this State, and Col. Hickman to his plantation, some distance from this place. Neither of these gentlemen are now in this place.

To interrogatory numbered six. He says that he, as well as he recollects, the money consisted of five-dollar gold pieces of the United States coin. The answer to this interrogatory is embraced in the answer to the foregoing interrogatory.

To interrogatory numbered seven. He says that there were confessions made by the negro boy Washington; that he took the money as stated in the answer to the fifth interrogatory. The confessions were voluntary to the questions asked by deponent. There was no undue influence used to induce the negro to make the confessions.

HENRY R. TEASDALE.

James Burt being sworn as said witness in the aforesaid cause, says, in answering as follows to the interrogatories hereunto attached:

To 1st Interrogatory. He says that he is acquainted with the defendant, Major Dashiel. He made his acquaintance in October, A.D. 1857, and has been acquainted with him since that time.

To 2d interrogatory. He says not at that time.

To 3d interrogatory. He says that did not know him in June, but made his acquaintance when here to investigate his losses. He stopped here at Col. Devall's hotel, where he stopped about a week. He was here as paymaster of the United States army. It was official. He was paymaster, and here engaged in the discharge of his duties as such. He was accompanied by a soldier as an escort. Major Dashiell was here in October, A.D. 1857, when I made his acquaintance. He was here for the purpose of investigating losses which he had sustained, or professed to have sustained. Previous to Major Dashiell's arrival here in October, 1857, money in the shape of gold coins had been found in the possession of negroes. This money was recovered from the possession of the negroes by the sheriff, who was also acting as town marshal, and he deposited the money with me, the deponent. I think it was thirty-two hundred and forty dollars, for which I gave a receipt to him as marshal of the town. Shortly after, I was ordered by the magistrate to hold the money until further order should be received from him. On the affidavit of James O. Devall, making known the fact that money was stolen out of his house, T. A. Haughton, a justice of the peace, officially notified me to retain the money until it should be determined who was the rightful owner of the money left with me, as a deposit by Howell A. Baisden, the town marshal.

Afterwards, the magistrate, T. S. Houghton, investigated the matter, and it was proved to his entire satisfaction that this money belonged to the defendant, Major J. Y. Dashiell, paymaster of the United States army, and the said magistrate issued an order commanding me to deliver said money to Major Dashiell. He then paid over the money to Major Dashiell, on the order of the magistrate, and the marshal also gave up and surrendered my receipts of deposit at the same time.

Answer to 4th interrogatory. He says that he has stated the facts in this interrogatory in the answer to the last foregoing interrogatory.

Answer to 5th interrogatory. Deponent says that his acquaintance did not extend so far back as June, 1857.

Answer to 6th interrogatory. There was a large amount of money discovered. The amount which came to my knowledge, was three thousand two hundred and forty dollars, besides other smaller amounts at a subsequent time. The kind of money was American gold half-eagles. The discovery was made by the town marshal, H. A. Baisden, as I learned. He had no personal knowledge how the money was discovered. The marshal brought the money to me about daylight on the morning following the night when found. He has stated fully in answer to 3d interrogatory.

Answer to 7th interrogatory. He says that he has no personal knowledge of the matters inquired of by this interrogatory.

JAS. BURT.

James O. Devall, one of the foregoing witnesses in the said cause mentioned, after being duly sworn, deposes and answers as follows to the interrogatories hereto attached:

Answer to 1st Interrogatory. He answers that he is acquainted with the defendant, Jeremiah Y. Dashiell. He became acquainted with him at this place, Palatka, for the first time, in June, A.D. 1857, and has been acquainted with him since that time.

Answer to 2d interrogatory. He answers yes.

Answer to 3d interrogatory. He says that the said defendant was here as paymaster of the United States troops, and he was then on his way to Indian river to pay off troops. He stopped with me in his, deponent's, hotel. He, the said Dashiel, stopped one night and left foı Indian river the next morning. He was a paymaster in the United States army, and he was then acting in his official capacity in the discharge of his said office.

Answer to the 4th interrogatory. He was accompanied by a soldier as an escort.

Answer to 5th interrogatory. He says Major Dashiell left Palatka on the 22d of June, 1857, for Indian river, and he returned here on the 8th of July following. He on his return did not mention any loss of money. He, Major Dashiell, left here on the next day, the 9th July. Some time in the month of August, about the middle of the month, in the year 1857, money, consisting of gold coin, was found on or near his premises, under circumstances which raised a violent presumption that the money was stolen by his boy called Washington, who confessed that he stole the money from Major Dashiell. Washington stated that he stole four thousand five hundred dollars from Major Dashiell. Not any of the money was found in Washington's possession. The money passed through the hands of several negroes, and from all the circumstances connected with this matter, the probability is quite evident that all the money which was stolen was not nor ever has been recovered. When he, the deponent, found that the money was stolen, and that there were several negroes implicated, he at once placed the subject before Col. Dawkins, the State solicitor, and he investigated the matter of the theft, aided by Mr. Teasdale and Col. Hickman, together with the deponent.

When the deponent found that the town marshal found the money and placed it on deposit in the bank, and from the facts that there was reason to believe that the money was stolen from Major Dashiel, the deponent took steps to secure the deposit by making complaint to a justice of the peace, who restrained or caused the money to be retained in order to secure it to the rightful owner, and afterwards the justice of the peace in investigating the subject, on the evidence laid before him, decided that the money was stolen from the possession of Major Dashiell, and he, the said justice of the peace, ordered the money to be restored to Major Dashiell, which was accordingly done. The deponent assented to the order of the justice of the peace, making the order to restrain the money from being paid to any other person than to Major Dashiell, who was entitled to the possession thereof. Deponent states that the boy Washington said he took the money from a person who he described in every particular as corresponding with Major Dashiell, and from all the facts connected with this matter, as well as the confessions of Washington, the money was stolen on the morning of the 22d June, A.D. 1857.

Answer to the sixth interrogatory. He says there was a large amount of money discovered, to wit, three thousand two hundred and forty dollars, by H. A. Baisden, town marshal, in the possession of negroes belonging to deponent, Gov. Mosely and Capt. Gray. It was found in Palatka on the 12th of August, 1857, in the town of Palatka, Florida. Baisden who found this money deposited it in bank. Small sums of money were found by deponent afterwards and by him paid to Major Dashiell. Deponent recovered eighty-five dollars. It came to the deponent's knowledge that an intimate relation or connection at the time existed between the boy Washington and certain traders, from the fact that deponent discovered that he purchased considerable clothing, jewelry, &c., and in this way it is presumed that he spent much of the money stolen. This discovery came to his knowledge during the investigation as before stated; but the evidence was deemed insufficient to justify the arrest of the said traders as accessories, or for their prosecution for unlawfully dealing with slaves. During the same time that this money was stolen Lieut. Stevens, of the army, stopped at deponent's hotel, and this boy Washington stole a bonnet from him the said Lieut. Stevens.

Answer to interrogatory number seven. There were confessions made by the boy Washington and other negroes. The confessions were entirely voluntary and without any coercion or undue influence.

JAS. O. DEVALL.

And I, the said John C. McMillan, clerk of the Circuit Court for the county of Putnam, and ex-officio judge of probate in and for the said county aforesaid, do certify that the causes or reasons alleged, and appearing by affidavit before me for taking said deposition, that the testimony of said witnesses was material and necessary on the trial of said cause, and that said witnesses resided more than one hundred miles from Austin in the State of Texas, the place of holding the court for the trial of said cause. And I also certify that no notice was given or served on any attorney of the United States, for the reason that no attorney of the United States resides, or is within one hundred miles of the place of taking the said depositions. And I further certify that the said depositions were reduced to writing by me, after being so reduced to writing they were carefully read over to said witnesses, after which they subscribed the same as their sworn testimony to be used in said cause and on the trial thereof.

And I further certify that I am not of counsel or attorney to either of the parties to said suit, or in any way interested in the event of said suit: and further, that I have retained said depositions in my possession for the purpose of sealing and directing the same with my own hand, and forwarding it to the court where said cause is pending for trial.

[SEAL.] Given under my hand, with the seal of my said office of judge of probate hereunto annexed.

JNO. C. McMILLAN,
Clerk Circuit Court, and ex-officio Judge Probate.

19th day of November, 1859.

United States of America, District Court of the United States for the Western District of the State of Texas.

UNITED STATES OF AMERICA
v.
JEREMIAH Y. DASHIELL & ISAIAH A. PASCHAL.

Interrogatories to be propounded to James O. Devall, Henry R. Teasdale, and James Burt, and Howell A. Baisden, residing in Pulatka, county of , State of Florida, witnesses in the above entitled cause, on the part of defendants. The answers thereto when taken to be read as depositions in evidence in the trial of said cause in behalf of said defendant.

Interrogatory 1. Are you acquainted with defendant in this cause? If yea, at what time and place, and how long?

Int. 2. Did you know him on or about the 22d day of June, A. D. 1857, in the town of Palatka, Florida?

Int. 3d. If yea, how did you come to know him, and how did he happen to be in Palatka? what the object or purpose of it? and, while there, where did he stop, and how long did he stop? if any, what charge or relation did he sustain? whether private or public, official or unofficial? State whether he was a paymaster of the United States or not, and whether he was not then engaged in discharging his duties as such?

Int. 4th. Was defendant accompanied by any one? If yea, state by whom, and in what capacity or relation; whether as an escort or not.

Int. 5th. After defendant left Palatka did anything occur of an extraordinary character connected with him, or involving his pecuniary interests? If yea, what was it, and what the circumstances of it; times, places, persons, the things done or said—fully and minutely.

Int. 6th. Was not a large amount of money discovered? If yea, what amount, and whether coin or otherwise; if the former, what the size of the pieces generally, and how was the discovery made; by whom made; at what times and places; with whom was it found, and what disposition was made of it? State everything that you know fully and minutely.

Int. 7th. Were any confessions concerning said money made by any person or persons, and what the confessions so made, and how came they to be made; under what circumstances; whether voluntary or not; whether with or without any undue influence.

JEREMIAH Y. DASHIELL.
GEO. W. PASCHAL,
Attorney.

Attached to the depositions and the aforesaid interrogatories, is the following certified copies of papers and procedures, referred to in plaintiff's bill of exceptions as Exhibit "G." In words, to wit:

Agency, Bank of Charleston.

PALATKA, August 12th, 1857.

Received from H. A. Baisden, marshal of the town of Palatka, Florida, one box containing three thousand two hundred and eighty dollars in gold coin, and two watches, as a special deposit.

JAMES BURT,
Agent.

This receipt is to be returned when the special deposit is called for.

The amount of money delivered to Major J. G. Dashiell, U. S. A., October 24, 1857, by order magistrate T. S. Haughton, was three thousand two hundred and forty dollars, there having been an error in count at the time of deposit of forty dollars.

JAMES BURT,
Agent.

State of Florida, Putnam County.

In the name of the State of Florida: Whereas James O. Devall, has this day personally appeared before me and made oath that

Howell A. Baisden, as marshal of the town of Palatka, did, on or about the 11th day of August, 1857, deposit with you the sum of three thousand two hundred and eighty dollars in gold coin, as a special deposit, which the said Devall has cause to believe was feloniously taken from the dwelling of said Devall; this is, therefore, to command you to retain in your possession the said sum of three thousand two hundred and eighty dollars in gold coin, until it can be satisfactorily who is the rightful owner thereof.

Given under my hand and seal this 17th day of August, 1857.

T. S. HAUGHTON, [L. S.]
Justice of the Peace.

State of Florida, Putnam County.

In the name of the State of Florida, to James Burt, Esq., Agent, &c.

Whereas, it appears from testimony taken before an examining committee that the sum of three thousand two hundred and eighty dollars in gold coin, which was, on the 12th day of August, A. D. 1857, deposited with you by H. A. Baisden, marshal, and which, upon affidavit of James O. Devall, you were, on the 17th day of August, A. D. 1857, served with notice, commanding you to retain in your possession said sum of gold coin until satisfactorily proven who was the rightful owner thereof.

It appearing from said examination that Major J. G. Dashiel, a certain paymaster in the United States army, is the rightful owner of said gold coin deposited as aforesaid. Now, therefore, you are commanded to pay *pay* over to said Dashiel the said sum of three thousand two hundred and eighty dollars, the said Devall having consented that he is satisfied fully that none other than said Dashiel is the rightful owner.

Given under my hand and seal, this 24th day of October, A. D. 1857.

T. S. HOUGHTON, [SEAL.]
Justice of the Peace.

I, James O. Devall, assent fully to the foregoing order.

JAMES O. DEVALL.

State of Florida, Putnam County.

I, John C. McMillan, clerk of the Circuit Court in and for said county, do hereby certify that the foregoing is a true and correct copy of the original papers now in the possession of James Burt. I further certify that T. S. Haughton was an acting justice of the peace at the time of his signing the foregoing duly commissioned and qualified, and that full faith and credit are due to all his official acts as such.

[SEAL.] In witness whereof, I have hereunto set my hand and official seal, this the 19th day of November, A. D. 1859.

JOHN C. McMILLAN,
Clerk Circuit Court, Putnam County, Florida.

The envelope containing the foregoing depositions, copies of papers, and certificates, marked as aforesaid for reference as Exhibits "B.," "C.," "D.," and "G.," is indorsed in words to wit:

To the clerk of the District Court of the United States in and for the Western District of Texas, at Austin, Texas. United States of America, District Court of the United States for the District of Western Texas. United States of America *v.* Jeremiah Y. Dashiel and Isaiah A. Paschal.

Depositions of Henry R. Teasdale, James Burt, and James O. Devall, taken before me, John C. McMillan, clerk of the Circuit Court for the county of Putnam, and ex-officio judge of probate, and for said county, sealed up, directed and deposited by me in the post office at Palatka, Florida, to be forwarded to the clerk of the District Court of the United States for the District of Western Texas, at Austin, by mail, the same to remain under seal until opened in court.

JOHN C. McMILLAN,
Clerk Circuit Court, and ex-officio Judge of
Probate, Putnam Co., Florida.

Indorsed: "Received from the post office at Austin, and filed Dec. 13th, 1859.

M. HOPKINS,
Clerk.

Indorsed: "Opened by order of court, January 4th, 1860, at request U. S. Att'y.

M. HOPKINS,
Clerk.

The depositions referred to in plaintiffs' bill of exceptions, marked as Exhibits "E." and "F.," being the depositions of John Rowles and J. Vogdes. The envelope is indorsed in words to wit, "E." "F."

Depositions for Defendant.

UNITED STATES
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To the Clerk of the District Court of the United States for the Western District of Texas.

AUSTIN, TEXAS.

"Received from P. Office at Austin, and filed Dec. 20th, 1859.

"M. HOPKINS,
"Clerk."

And indorsed across the sealing, Jno. T. Francis, U. S. Commissioner; and indorsed "Opened by request, U. S. Attorney, and by order of Court, Jan'y 4th, 1860, M. Hopkins, clerk."

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v. } 523, 524, 525.
DASHIELL et als.

And the said depositions are in words, to wit:

United States of America, Eastern District of Virginia, City of Norfolk, *sc.*

Be it remembered, that on the 9th and 22d day of November, A.D. 1859, I, John T. Francis, a commissioner duly appointed by the Circuit Court of the United States for the Fourth Circuit and Eastern District of Virginia, under and by virtue of the several acts of Congress, passed February 20th, 1812, March 1st, 1817, and September 24th, 1789, did call and cause to come before me at my office, in the city of Norfolk, in the State and District aforesaid, John Rowles and J. Vogdes, to testify and the truth to say on the part and behalf of the defendants, in a certain suit or matter of controversy depending in the District Court of the United States for the Western District of the State of Texas. Wherein the United States of America are plaintiffs, and Jeremiah Y. Dashiell and Isaiah A. Paschal are defendants. And the said John Rowles being about the age of 26 years, having been by me first cautioned and sworn to testify the truth, the whole truth, and nothing but the truth in the matter of controversy aforesaid, and being carefully examined, he, the said John Rowles, in reply to interrogatories propounded to him by the defendants, deposes and says as follows:

Interrogatory 1st. Are you acquainted with the parties to this suit; if yea, when and where. State whether you knew defendants in June and July, 1857, and at what place or places?

Answer. I am acquainted with one of the parties to the suit, Mr. Dashiell; I first became acquainted with the defendant Dashiell while he was a paymaster in Florida. In June and July, 1857, I was detailed as an escort to accompany Major Dashiell, paymaster, from Fort Moultrie in S. Carolina, to the troops on Indian river, in Florida.

Int. 2d. What was then your calling, profession, or employment?

Ans. A soldier in the 1st regiment of U. S. Artillery, company "D."

Int. 3d. Were you or not engaged at that time for any particular service, person, or purpose? If yea, what was the service and purpose, and who was the person?

Ans. I was ordered as an escort about the 18th or 19th June, 1857, to guard the public funds in the possession of Major Dashiell, paymaster, on a tour of payment from Fort Moultrie in South Carolina, to the United States troops on Indian river, in Florida?

Int. 4th. Were you or not detailed to defendant? if yea, in what manner, and for what reason or object?

Ans. According to my recollection, I was ordered by the post-adjutant, who was at the time Lieut. Jenkins, and in temporary command of company "D.," to which I belonged; the reason and object of the order I have stated in my reply to interrogatory 3d.

Int. 5th. What was the employment or profession of defendant himself?

Ans. Major in the army, and paymaster to the troops.

Int. 6th. Was he or not an officer in the United States Army? if yea, what sort of an officer, or what was his duties?

Ans. He was an officer in the United States Army with the rank of major, and his duties were those of paymaster to the United States troops.

Int. 7th. Did he at that time have occasion to discharge these duties? if yea, in what manner and in what place or places?

Ans. He did by going down to Indian river, in Florida, and paying the troops at forts Capron and Jupiter.

Int. 8th. Was any public money intrusted to him? if yea, what amount, and for what purpose? State in what the money was carried, whether it was fit for the purpose and such as was customary to use in similar occasions or not?

Ans. Yes, there was money intrusted to him; I do not know what amount; it was not counted in my presence; it was to pay off the troops in Florida. I went to the treasury office in Charleston with Major Dashiell, and there received the money in canvas bags; the number of bags I do not recollect; and the canvas bags were then put in leather valise or portmanteau, such as is generally used for this purpose.

Int. 9. Did you or not handle the leather valise which contained the money?

Ans. I did handle the valise containing the money, in carrying it from the treasurer's office to the steamer Everglade on the morning we left Charleston; but I did not handle it afterwards until after the loss of money was discovered.

Int. 10th. For what point or points was this money intended? what distance was it carried? what place or places did it reach, and what became of it?

Ans. The money was intended for forts Capron and Jupiter, to pay the troops; it was carried from the United States Treasurer's office in Charleston to the steamer for Palatka; and the valise containing the money was carried up to the hotel by the porter immediately in front of Major Dashiell's and myself, who walked directly behind him, and deposited in Major Dashiell's room at Col. Devall's hotel. The next morning we left Palatka, and went on in a steamer to

Enterprise; the money-bag was carried from the Palatka hotel to the steamer by the porter of the hotel, and deposited on the steamer in the state-room of Major Dashiell. On our arrival at Enterprise, Florida, another point on our route to Indian river, we were detained one day to wait for a mail-wagon; and on the day subsequent to our arrival there, just before dinner-time, the Major called me into his room and informed me that he had lost a portion of his funds; he appeared to be much distressed, and asked me particularly to try and recollect where the loss could have occurred; whether we could have lost the money on the steamer from Charleston, or at Palatka, or could have left the money at the treasury. It was impossible to say whether the money was left at the treasury, or the loss occurred at Palatka; but I was satisfied it could not have occurred on the steamboats; I could not recollect the number of bags received at the treasury, and although the bags of money were replaced in the travelling bag, and I tested the weight several times, I was uncertain whether it was as heavy as when I took it from the treasurer's office to the steamer in Charleston; the first impression was, that it was much lighter, but after trying the weight several times, I became more uncertain, but adopted the impression that appeared to be entertained by the Major, that the money must have been left behind at the treasury. He particularly enjoined secrecy on me, as it was impossible to tell what had become of the money, unless, as he supposed, he had left it at the treasury; and as he would have to make it good out of his own pocket, he desired that it should not be known, especially as only a few weeks before he had met with another very large loss of money.

On our return from Indian river, when at Palatka, he instructed me particularly to ascertain if any clue could be obtained to the loss having occurred there, by noticing if the clerk in the office on our first arrival, who registered our names and superintended the disposition of our baggage, was still at the hotel, or if he had left; should he have left, that was considered a good general ground for suspecting that the loss had occurred there, and then measures could at once be taken for the recovery. The clerk, however, was still there at Enterprise; when the Major ascertained his loss, he counted the money left in my presence; there was the sum of fifteen thousand dollars left; he expressed great doubt whether he would be enabled to effect the payment of the troops, as the payment was expected to be an unusually large one. I told the Major I had some moneys coming to me there, which I would give to him. He told me he would endeavor to raise what would be necessary from the sutler and others, and I understood that he had done so.

Int. 11th. Did defendant bestow any care and attention on said money? if yea, what sort of care and attention? State the kind and degree of care and attention at the various times and places at which it was in his charge?

Ans. During the whole time we were on our way from Charleston to Indian river, Major Dashiell was very vigilant in regard to the money; on board the steamer he was careful to see that the valise in which the money was, was placed in his state-room, the door of which he locked, and he then rarely left the saloon, but generally occupied a seat opposite to his state-room. At the hotel at Palatka, as I have stated, the major and myself saw the valise deposited in his room; the major staid most of the time in his room, and when absent from it, it was only for a short time when he always locked the door; his vigilance was excited on this occasion, I think, in consequence of a heavy loss he had met with a few weeks before by being upset in a boat, and for this reason he exercised more care and attention.

Int. 12. What were your means of information?

Ans. I did not occupy the same room with Major Dashiell, but at any time had access to his room when he was in it; I was constantly in attendance upon him, and whenever the money was to be moved I was always present with Major Dashiell in my position as escort and guard.

JOHN ROWLES.

And at another day, to wit, on the 22d day of November, A.D. 1859, personally came and appeared, J. Vogdes, a captain in the U. S. army, who, being first cautioned and sworn, in reply to interrogatories propounded by defendant, deposes and says, as follows:

Interrogatory 1st. Are you acquainted with the defendants in this cause? if yea, state at what time and place, and in what capacity.

Answer. I am acquainted with one of the defendants, Major Dashiell. I knew him in South Carolina and Florida, during the years 1856, 1857; he was then paymaster in the U. S. army.

Interrogatory 2d. Were you commanding officer at Fort Moultrie, South Carolina, during the months of June, July, and August, 1857? and if yea, was that the station of the defendant at that time?

Answer. I was commanding officer at Fort Moultrie, South Carolina, at the time referred to. Major Dashiell was stationed there, but was frequently detached to pay troops at other stations. His absence from the station was regulated by the pay department, and was not under my control.

Interrogatory 3d. Did you, as commander of that post, order the post-adjutant at Fort Moultrie, South Carolina, on or about the 18th of June, 1857, to detail an escort to accompany defendant to guard the public funds in his possession, on a tour of payment to the United States troops on Indian River, in Florida? if yea, what soldier was detailed for that duty?

Answer. I directed, at the time Major Dashiell made his payments to the troops on Indian River (which, I believe, was in June, 1857, as near as I can now recollect), a private soldier to be detailed as an escort. Private Rowles was detailed under that order. He belonged to company D., 1st Artillery.

Interrogatory 4th. Did said defendant at any time make known to you the loss of money sustained by him at Palatka, Florida? if yea, what time, and to what amount?

Answer. He stated to me, a short time after his return from his tour of paying troops at Indian river, that he had lost a bag of money containing $5000, as near as I can recollect. It was the tour of duty on which private Rowles accompanied him.

Interrogatory 5th. Did defendant adopt any measures to discover the thief, or recover the money stolen? if yea, what were the measures, and when and where adopted?

Answer. The escort was examined by me, in the presence of Lt. Jenkins, of company "D.," to see whether any grounds of suspicions rested upon him. Subsequent to this, I introduced Major Dashiell to the chief of police of Charleston, who caused a person, upon whom some suspicions rested, to be watched for some time, but nothing was elicited from it. I was afterwards informed, by the treasurer in Charleston, that a part of the money supposed to have been lost by Major Dashiell, had been recovered at or near Palatka, Florida; and the treasurer stated to me, that from the kind of money recovered, and the attending circumstances, he thought he would be justified in placing the recovered money to Major Dashiell's credit. This, however, was a casual remark, and whether he did so or not, I do not know.

J. VOGDES,
Captain 1st Artillery.
JNO. T. FRANCES,
U. S. Commissioner.

I, Loften N. Ellett, clerk of the United States Court for the Fourth Circuit and Virginia District, held at Richmond, do certify, that John T. Francis was, on the 23d day of June, 1852, by the Circuit Court aforesaid, duly appointed, and that he is, at the date hereof, a master in chancery for said court, and also a commissioner of said court to take acknowledgments of bail and affidavits, and also to take depositions of witnesses in civil causes, and to exercise all the powers conferred on such commissioners by the act of Congress, entitled "An act, further supplementary to an act entitled An act to establish the judicial courts of the United States," passed the 24th day of September, 1789. Approved August 23d, 1842.

[SEAL.] In testimony whereof, I hereto subscribe my name, and annex the seal of the said court, this 30th day of November, 1859.

LOFTIN N. ELLETT,
Clerk.

United States of America, Eastern District of Virginia, City of Norfolk.

I, John T. Frances, a commissioner duly appointed by the Circuit Court of the United States for the Fourth Circuit and Eastern District of Virginia, under and by virtue of the several acts of Congress, passed February 20th, 1812, March 1st, 1817, and September 24th, 1789, do hereby certify, that the reason for taking the foregoing depositions is, and the fact is, that the witnesses live at a greater distance than one hundred miles from the place of trial.

I further certify, that no notification of the time and place of taking the said depositions, signed by me, was made out and served on the plaintiffs, or their attorneys, no district attorney of the United States being within one hundred miles of the caption of said depositions. And that on said 9th and 22d days of November, A.D. 1859, I was attended by the defendant and by the witnesses, who are of sound mind and lawful age, and the said witnesses having been by me carefully examined, cautioned, and sworn, to testify the whole truth, the depositions were by me reduced to writing, in the presence of the witnesses, and from their statements, and having been carefully read over to said witnesses, the same were subscribed by them in my presence, and I have retained the said depositions for the purpose of sealing, directing and mailing the same, with my own hand, to the court for which the same were taken.

I further certify, that I am not of counsel or attorney for either of the parties in said depositions and caption named, or in any way interested in the event of the said cause.

[SEAL.] In testimony whereof, I have hereto set my hand and seal, this 29th day of November, A.D. 1859.

JNO. T. FRANCES,
Fee, $10. Commissioner U. S. Circuit Court, 4th Circuit.

Be it further remembered, that the plaintiffs, specially and in detail, objected to the reading of all the declarations and statements made by defendant Dashiell, in the depositions of said Teasdale, Burt, Duval, and Rowles, which amounted in substance to proving the fact of robbery, and will more fully appear by reference to said depositions. 1st. Because the declarations and statements were made by a defendant in this suit. 2d. Because the declarations and statements were hearsay. The court sustained the objections, but permitted the declarations and statements of defendant Dashiel, with consent of plaintiffs' attorneys, to be read to the jury, subject to the instructions of the court; to which ruling of the court the plaintiff excepted then and there.

Be it further remembered, that the plaintiff objected to the reading of the statements and confessions of the slave Washington, tending to prove that he had stolen the money from the defendant, Dashiell, which are fully set forth and stated in the depositions of said last-named aforesaid (for a more particular statement of said confessions, reference is hereby made to said last-named depositions), and moved to exclude the same from the jury, upon the following grounds, to wit: 1st, Because it was hearsay; 2d, because it was the confessions of a slave, whose evidence would be inadmissible if sworn in open court and testifying in person. The court sustained the objections, but permitted the confessions of the slave, with consent of plaintiffs' attorneys, to be read to the jury, subject to the instructions of the court then and there.

The charge of the court was as follows, to wit:

THE UNITED STATES
v.
JEREMIAH Y. DASHIELL and ISAIAH A. PASCHAL.

The United States bring this suit against Dashiell, and one of the sureties on his bond, I. A. Paschal, as late paymaster in the army. The other surety, Hanson Alsbury, being dead, is not joined in the action.

One of the assigned breaches of the bond is, that said Dashiell has failed to pay over or account for a large amount of public money which had been placed or came into his possession and custody for disbursement as paymaster aforesaid, and a balance of $20,085 74 is claimed by the petitions to be due from him and his said security accordingly.

The defendants by their answers deny generally all indebtedness, and in addition thereto plead specially, that defendant Dashiell, without any fault or negligence on his part, was robbed of $13,000, at Palatka, in Florida, of the money now sued for by the government, and for which he claims to be entitled to a credit.

In proof of the amount alleged to be due from the defendant, Dashiell, the United States has introduced certain transcripts from the books and proceedings of the treasury department. The transcript marked "B.," shows the particulars or items of the alleged indebtedness; and at page 50 thereof will be found what purports to be the closing settlement, exhibiting the balance claimed to be due to the United States (being $19,051 31), to which is added a charge for interest up to the date of that settlement (see pages 53 and 54 of the transcript), being $1000 01, making an aggregate, shown to be due by the said transcript, of $20,051 32, on the 15th September, 1858.

The transcript marked "C." shows what purports to be certified copies of requisitions drawn by the war department on the treasury in favor of paymaster Dashiell; and transcript marked D, exhibits what purports to be copies of drafts and warrants drawn by the treasury department in favor of paymaster Dashiell, with his receipts on the same.

These transcripts being duly and properly authenticated, are made evidence before the jury, by virtue of an act of Congress, and the amount shown to be due from the defendant by transcript B., on the final account stated therein, must be regarded as prima facie correct. But this presumption is not conclusive. The jury have the right to look over and examine all the accounts, and if they believe there is any error therein, apparent on the face of the transcript, or otherwise shown by the evidence before them, as, for instance, the charging of the defendant with money not received by him in the ordinary discharge of his duties and obligations as paymaster, it is their duty to consider and act upon the same in rendering their verdict. In the absence of any proof to satisfy the jury that the amount sued for by the government is incorrectly stated or claimed, or that the defendant, Dashiell, is entitled to any deduction therefrom, or credit thereon, they will return a verdict for the plaintiff for the sum shown to be due by the transcript marked B., and in doing so, they will take the amount shown to be due by Major Dashiell on the final account rendered by himself (see page 48 of the transcript), being $19,085 73. From this deduct $34 42, which the United States admit he overcharged against himself. Then add to the amount thus reduced, the interest, at six per cent. per annum, on $13,000, from the 25th November, 1857, and on $6050 85, from the 4th August, 1857, up to the present time, and return a verdict for the sum so found.

As to the credit claimed by the defendant Dashiell, for an alleged robbery of a portion of the amount sued for by the United States, I have to instruct the jury that the ordinary rules of law, governing cases of a simple deposit of money, in which the depositary is only responsible for ordinary neglect, is not applicable to a case of this kind. Paymaster Dashiell was not a mere bailee without reward. His bond required him to take charge of and account for public moneys, coming into his hands in the ordinary scope and discharge of his duties, and he was paid commissions for so doing. It was his duty, therefore, to exercise the greatest degree of vigilance and care in taking care of such public funds. This is demanded by the law as well as public policy, and the slightest want of care or vigilance under such circumstances, renders him responsible. To entitle the defendant to a deduction from the amount for which he is now sued, on the ground of a robbery, the jury should be satisfied of two things from the evidence.

1st. That a robbery was in fact committed as alleged, and that the amount of public money was stolen from him as charged, and

2d. If satisfied of these facts, then the jury should be further satisfied from the evidence, that such robbery did not occur from any want of due care and vigilance on the part of the defendant, in its preservation and safe keeping. In determining whether a robbery was committed, as is charged by the defendant, the jury must exclude from their consideration, the declaration of the defendant Dashiell, made to this effect. This is not legal evidence, he being a party interested. Nor will it be proper to take into consideration any declarations or admissions made by negro slaves, as contained in the depositions which have been read before the jury.

The jury will therefore return such a verdict as they deem to be warranted by the evidence and these instructions.

THO. H. DUVAL,
U. S. District Judge.

The plaintiff objected to so much of the charge of the court as applied and referred to the evidence and law under the plea of robbery, plead as a set-off or in reduction of damages. The court overruled the objections, and the plaintiff excepted.

After trial had, the plaintiff moved for a new trial upon the following grounds, to wit:

"1st. The verdict of the jury was contrary to the law and the evidence.

2d. Because the court's charge was contrary to law.

3d. Because the court admitted illegal testimony to go to the jury.

4th. Because the court refused to give the charges asked by plaintiff," which motion the court overruled, and the plaintiff then and there excepted, and pray that this his bill of exceptions may be signed and sealed by the court, and made a part of the record, which is accordingly done.

THO. H. DUVAL, [SEAL.]
U. S. Dist. Judge.

Memorandum by the clerk. (For copy of Exhibit "B.," referred to in defendant's bill of exceptions, the copy attached, indorsed on first page of copy B.)

Defendant's Bill of Exceptions.

THE UNITED STATES
v.
J. Y. DASHIELL and J. A. PASCHAL. } No. 523.

Be it remembered that in the progress of this case, the plaintiff to support the issue on her parts, offered in evidence the following copies and abstracts from the accounts and proceedings of the treasury, viz.: "B.," "C.," "D."

(Copy "B." attached to transcript.) Copy of Exhibit "C." is in words, to wit:

Exhibit "C." Treasury Transcripts.

United States of America, Treasury Department, July 20th, 1858.

Pursuant to the Act of Congress of 22d February, 1849, I hereby

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certify that the annexed are true copies of the original requisitions from the War Department, Nos. 5037, 5235, 5236, 5491, 5506, 5738, 5881, 5882, 6080, 6234, 6235, 6466, 6468, 6645, 6646, 6749, 6909, 6910, 7117, 7118, 7356, 7357, 7424, 7425, 7433, 7528, 7769, 7774, 7775, 7986, 7987, 8093, 8356, 8357, 8475, and 8885, now on file in this department.

[SEAL.] In witness whereof, I have hereunto set my hand, and caused the seal of the Treasury Department to be affixed, on the day and year first above written.

HOWELL COBB,
Secretary of the Treasury.

War Department.

$15,000. $\frac{20}{5538}$. No. 5236.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for fifteen thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster Charleston, S. C., for which he is accountable. To be charged to the under-mentioned appropriations.

Given under my hand this 16th day of June, 1855.

(Signed) J. COOPER,
Acting Secretary of War

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Received and registered 18th.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army,	$10,000
	Subsistence of officers,	4,600
	Forage,	300
	Payments in lieu clo. off. &c.,	100
		$15,000

War Department.

$8000. $\frac{20}{5539}$. No. 5236.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for eight thousand dollars and cents, to be issued in favor of the assistant treasurer at New York, to be placed to the credit of Major J. Y. Dashiells, paymaster at Charleston, S. C., who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 16th day of June, 1855.

(Signed) S. COOPER,
Acting Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Received and registered 18th.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army,	$5500
	Subsistence of officers,	2300
	Forage,	100
	Payment in lieu clo. off. st.,	100
		$8000

War Department.

$25,000. $\frac{25}{5004}$. No. 5037.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for twenty-five thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster Charleston, S. C., for which he is accountable. To be charged to the under-mentioned appropriations.

Given under my hand this 24th day of April, 1855.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Received and registered 24.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army,	$19,000
	Subsistence of officers,	5,200
	Forage,	500
	Payment in lieu clo. off. st.,	300
		$25,000

War Department.

$15,000. $\frac{17}{6167}$ No. 5491.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for fifteen thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster, Charleston, S. C., for which he is accountable. To be charged to the under-mentioned appropriations.

Given under my hand this 15th day of August, 1855.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

F. PENNINGTON,
Acting Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.		
	Pay of the army,	$12,000
	Subsistence of officers,	2,500
	Forage,	300
	Payment in lieu clo. off. st.,	200
		$15,000

War Department.

$1000. $\frac{25}{6228}$. No. 5506.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for one thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster at Charleston, S. C., for which he is accountable. To be charged to the under-mentioned appropriations.

Given under my hand this 22d day of August, 1855.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

F. PENNINGTON,
Acting Second Comptroller.

Received and registered 24th.

P. CLAYTON,
Second Auditor.

Raising four additional regiments,	$1000

War Department.

$9000. $\frac{7}{6844}$. No. 5738.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for nine thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster, Charleston, South Carolina, for which he is accountable, to be charged to the under-mentioned appropriation.

Given under my hand this fifth day of November, 1855.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned. 6.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$6500
	Subsistence of officers, ...	2000
	Forage, ...	300
	Pay in lieu clo. officers' serv'ts., . . .	200
		$9000

War Department.

$5000. $\frac{24}{7200}$. No. 5881.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and cents, to be issued in favor of the assistant treasurer, at New York, to be placed to the credit of Major J. Y. Dashiell, paymaster, Charleston, South Carolina, who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 22d day of December, 1855.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$3000
	Raising additional regiments, ...	2000
		$5000

War Department.

$10,000. $\frac{24}{7201}$. No. 5882.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for ten thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster, Charleston, South Carolina, for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 22d day of December, 1855.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned. 24.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

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Appropriation.	Pay of the army, ...	$6000
	Subsistence of officers, ...	3500
	Forage, ...	300
	Payment in lieu of clo. officers' serv'ts., .	200
		$10,000

War Department.

$10,000. $\frac{15}{7623}$. No. 6080.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for ten thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster, Charleston, South Carolina, for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 12th day of February, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned. 13.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$6000
	Subsistence of officers, ...	3500
	Forage, ...	300
	Payment in lieu clo. officers' serv'ts., .	200
		$10,000

War Department.

$5000. $\frac{8}{7973}$. No. 6234.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and cents, to be issued in favor of the assistant treasurer, at New York, to be placed to the credit of Major J. Y. Dashiell, paymaster at Charleston, South Carolina, who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 5th day of April, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$5000.

War Department.

$17,000. $\frac{8}{7974}$. No. 6235.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for seventeen thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster at Charleston, South Carolina, for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 5th day of April, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned. 7.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$12,500
	Subsistence of officers, ...	4,000
	Forage, ...	300
	Payment in lieu clo. officers' serv'ts, .	200
		$17,000

War Department.

$5000. $\frac{11}{8397}$. No. 6466.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster at Fort Moultrie, Charleston, South Carolina, who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 9th day of June, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.

Pay of the army, ... $5000

War Department.

$1000. $\frac{11}{8398}$. No. 6468.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for one thousand dollars and cents, to be issued in favor the assistant treasurer at New York, to be placed to the credit of Major J. Y. Dashiell, paymaster, at Fort Moultrie, Charleston, South Carolina, who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 9th day of June, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned. 10.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.

Pay of the army, ... $1000

War Department.

$5000. $\frac{5}{8780}$. No. 6645.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and cents, to be issued in favor of the assistant treasurer at New York, to be placed to the credit of Major J. Y. Dashiell, at Charleston, South Carolina, who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 4th day of August, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned. 5.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$5000

War Department.

$10,000. $\frac{5}{8781}$. No. 6646.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and cents, to be issued in favor of Major J. Y. Dashiell, paymaster at Charleston, South Carolina, for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 4th day of August, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned. 5.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$10,000

War Department.

$1044 06. $\frac{13}{9086}$ No. 6749.

To the Secretary of the Treasury.

Sir: Please cause a warrant for one thousand and forty-four dollars and six cents to be issued in favor of Major J. Y. Dashiell, paymaster, to be carried by counter register to his credit in account.

Caps, recruiting, ...	4 65
Raising four additional regiments, . .	1039 41
	1044 06

To be charged the under-mentioned appropriations.

Given under my hand this 5th day of September, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned,

THOS. J. CATHCART,
Acting Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.		
	Clothing of the army, ...	$833 06
	3 mos. extra pay, ...	114 00
	Pay of certain Tennessee volunteers, 7 Aug., '48, ...	83 05
	Pay of volunteers, ...	13 95
		$1044 06

War Department.

$5000. $\frac{9}{9347}$. No. 6909.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and ents, to be issued in favor of the assistant treasurer at New York, to be placed to the credit of Maj. J. Y. Dashiell, paymaster at Charleston, S. C., who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand, this 6th day of October, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned 7th.

J. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.		
	Pay of the army, ...	$5000

War Department.

$15,000. $\frac{9}{9348}$. No. 6910.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for fifteen thousand dollars and cents to be issued in favor of Maj. J. Y. Dashiell, paymaster at Charleston, S. C., for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand this 6th day of October, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Received and countersigned 7th.

J. M. BROADHEAD,
Second Comptroller.

Registered 8th.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$10,000
	Subsistence of officers, ...	4,300
	Forage, ...	400
	Pay in lieu clo. off. sts., ...	300
		$15,000

War Department.

$15,000. $\frac{10}{9864}$. No. 7117.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for fifteen thousand dollars and cents to be issued in favor of Maj. J. Y. Dashiell, paymaster at Fort Moultrie, Charleston, S. C., for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand, this 8th day of December, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 9th.

P. CLAYTON,
Second Auditor.

Pay of the army, ...	$10,000
Subsistence of officers, ...	4,400
Forage of officers' horses, ...	400
Pay in lieu of clo. off. sts.	200
	$15,000

War Department.

$1000. $\frac{10}{9865}$. No. 7118.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for one thousand dollars and cents to be issued in favor of the assistant treasurer at New York, to be placed to the credit of Major J. Y. Dashiell, paymaster at Fort Moultrie, Charleston, S. C., for which said Dashiell is to be accountable, to be charged to the under-mentioned appropriations.

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Given under my hand, this 8th day of December, 1856.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 9th.

P. C. CLAYTON,
Second Auditor.

Appropriation.

Pay of the army, ...	$1,000

War Department.

$23,000. $\frac{17}{419}$. No. 7356.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for twenty-three thousand dollars and cents to be issued in favor of Maj. J. Y. Dashiell, paymaster at Charleston, S. C., for which he is accountable, to be charged to the under-mentioned appropriation.

Given under my hand, this 14th day of February, 1857.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

JNO. M. BROADHEAD,
Second Comptroller.

Registered 16th.

P. CLAYTON,
Second Auditor.

Pay of the army, ...	$15,000
Subsistence of officers, ...	7,200
Forage, ...	600
Payment in lieu clo. off. sts., . . .	200
	$23,000

War Department.

$5000. $\frac{17}{420}$. No. 7357.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and cents to be issued in favor of the assistant treasurer at New York, to be placed to the credit of Maj. J. Y. Dashiell, paymaster at Charleston, S. C., who is accountable, to be charged to the under-mentioned appropriations.

Given under my hand, this 14th day of February, 1857.

(Signed) JEFFERSON DAVIS,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 16th.

P. CLAYTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$5000

War Department.

$5000. $\frac{9}{550}$. No. 7424.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for five thousand dollars and cents to be issued in favor of Maj. J. Y. Dashiell, paymaster U. S. Army at Charleston, S. C., for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand, this 6th day of March, 1857.

(Signed) L. COOPER,
Acting Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 7th.

P. CLAYTON,
Second Auditor.

Appropriation.	Subsistence of officers, ...	$5000

War Department.

$11,000. $\frac{9}{551}$. No. 7425.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for eleven thousand dollars and cents to be issued in favor of Maj. J. Y. Dashiell, paymaster U. S. Army at Fort Moultrie, Charleston, S. C., for which he is accountable, to be charged to the under-mentioned appropriations.

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Given under my hand, this 6th day of March, 1857.

(Signed) S. COOPER,
Acting Secretary of War.

Countersigned.

JNO. M. BROADHEAD,
Second Comptroller.

Registered 7th.

P. CLAYTON,
Second Auditor.

Appropriation.

Pay of the army, ...	$10,000
Subsistence of officers, ...	1,000
	$11,000

War Department.

$250 38. $\frac{21}{664}$. No. 7433.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for two hundred and fifty dollars and thirty-eight cents to be issued in favor of Maj. J. Y. Dashiell, paymaster, to be carried to counter requisition to his credit, on account of pay of the army, for en. 2d Company, No. 4836, to be charged to the under-mentioned appropriations.

Given under my hand, this 9th day of March, 1857.

(Signed) JNO. B. FLOYD,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 10th.

P. CLAYTON,
Second Auditor.

Appropriation.

3 months' extra pay, ...	$87 00
Pay of volunteers, ...	103 12
Preventing and suppressing Indian hostilities,	60 26
	$250 38

War Department.

$2600. $\frac{9}{813}$. No. 7528.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for twenty-six thousand dollars and cents to be issued in favor of Major J. Y. Dashiell, paymaster at Charleston, S. C., for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand, this 7th day of April, 1857.

(Signed) JNO. B. FLOYD,
Secretary of War.

Countersigned.

JNO. M. BROADHEAD,
Second Comptroller.

Registered.

P. CLAYTON,
Second Auditor.

Appropriation.

Pay of the army, ...	$18,000
Subsistence of officers, ...	7,000
Forage, ...	600
Payment in lieu of clo. off. sts., . .	400
	$26,000

War Department.

$20,000. $\frac{11}{1397}$. No. 7769.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for twenty thousand dollars and cents to be issued in favor of Maj. J. Y. Dashiell, paymaster at Charleston, S. C., for which he is accountable, to be charged to the under-mentioned appropriations.

Given under my hand, this 10th day of June, 1857.

(Signed) W. R. DRINKARD,
Acting Secretary of War.

Countersigned 10th.

T. J. CATHCART,
Acting Second Comptroller.

Registered.

T. J. D. FULLER,
Second Auditor.

Pay of the army, ...	$14,000
Subsistence of officers, ...	5,000
Forage, ...	600
Payment in lieu clo. off. sts., ...	400
	$20,000

War Department.

$15,000. $\frac{12}{1403}$. No. 7774.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for fifteen thousand dollars and cents, to be issued in favor of the assistant treasurer at New York, to be placed to the credit of Maj. J. Y. Dashiell, paymaster,

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at that place, who is accountable, to be charged to the undermentioned appropriations.

Given under my hand, this 11th day of June, 1857.

(Signed) W. R. DRINKHARD,
Acting Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 12.

T. J. D. FULLER,
Second Auditor.

Appropriation.	Pay of the army, ...	$12,000
	Subsistence of officers, ...	2,000
	Forage, ...	800
	Payment in lieu of clo. off. sts. . .	200
		$15,000

War Department.

$15,000. $\frac{12}{1410}$. No. 7775.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for fifteen thousand dollars and cents, to issue in favor of Maj. J. Y. Dashiell, paymaster, Charleston, S. C., for which he is accountable, to be charged to the undermentioned appropriations.

Given under my hand, this 11th day of June, 1857.

(Signed) W. R. DRINKHARD,
Acting Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 12.

O. J. D. FULLER,
Second Auditor.

Appropriation.	Pay of the army, ...	$12,000
	Subsistence of officers, ...	2,000
	Forage, ...	800
	Payment in lieu of clo. off. sts., . .	200
		$15,000

War Department.

$1000. $\frac{6}{1940}$. No. 7986.

To the Secretary of the Treasury.

Sir: Please a warrant to issue for one thousand dollars and cents, to be issued in favor of the assistant treasurer at New

York, to be placed to the credit of Maj. J. Y. Dashiell, at Charleston, S. C., who is accountable, to be charged to the undermentioned appropriations.

Given under my hand, this 4th day of August, 1857.

(Signed) J. B. FLOYD,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 5.

T. J. D. FULTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$1000.

War Department.

$12,000. $\frac{6}{1941}$. No. 7987.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for twelve thousand dollars and cents, to be issued in favor of Maj. J. Y. Dashiell, paymaster at Charleston, S. C., who is accountable, to be charged to the undermentioned appropriations.

Given under my hand, this 4th day of August, 1857.

JOHN B. FLOYD,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 5.

T. J. D. FULTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$8,000
	Subsistence of officers, ...	3,600
	Forage, ...	300
	Pay in lieu of clo. off. sts.	100
		$12,000

War Department.

$425 05. $\frac{17}{2284}$. No. 8093.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for four hundred and twenty-five dollars and five cents, to be issued in favor of Maj. J. Y. Dashiell, paymaster, to be carried by contra reqr. to his credit in acct.

Pay of the army,	$90 77
4 addl. reg.,	119 36
Expenses recruiting,	214 92
	$425 05

To be charged to the undermentioned appropriations.

Given under my hand, this 7th day of September, 1857.

(Signed) J. B. FLOYD,
Secretary of War.

Countersigned.

J. M. BROADHEAD,
Second Comptroller.

Registered 8.

T. J. D. FULTON,
Second Auditor.

Appropriation.	Clothing of the army,	$202 59
	Travelling allowance to vols.,	43 73
	Three months' extra pay,	72 00
	Pay of vols.,	31 73
	Med. and hospt. depart.,	75 00
		$425 05

War Department.

$12,000. $\frac{30}{2892}$. No. 8356.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for twelve thousand dollars and cents, to be issued in favor of Maj. J. Y. Dashiell, paymaster, Charleston, S. C., for which he is accountable; to be charged to the undermentioned appropriations.

Given under my hand, this 25th day of November, 1857.

JOHN B. FLOYD,
Secretary of War.

Countersigned.

J. MADISON CUTTS,
Second Comptroller.

Registered 28.

T. J. D. FULTON,
Auditor.

Appropriation.	Pay of the army,	$8,000
	Subsistence of officers,	3,500
	Forage,	300
	Pay in lieu of clo. off. serts.,	200
		$12,000

War Department.

$1000. $\frac{28}{2888}$. No. 8357.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for one thousand dollars and cents, to be issued in favor of the assistant treasurer at New York, to be placed to the credit of Maj. J. Y. Dashiell, paymaster at Charleston, S. C., who is accountable; to be charged to the undermentioned appropriations.

Given under my hand, this 25th day of November, 1857.

(Signed) JOHN B. FLOYD,
Secretary of War.

Countersigned.

J. MADISON CATTS,
Second Comptroller.

Registered 27.

T. J. D. FULTON,
Second Auditor.

Appropriation.	Pay of the army, ...	$1000

War Department.

$385 92. $\frac{12}{3113}$. No. 8475.

To the Secretary of the Treasury.

Sir: Please to cause a warrant for three hundred and eighty-five dollars and ninety-two cents, to be issued in favor of Maj. J. Y. Dashiell, to be carried by counter regr. to his credit, on account of pay of the army, pr. en. 2d comp., No. 6139. To be charged to the undermentioned appropriations.

Given under my hand, this 6th day of January, 1858.

(Signed) JOHN B. FLOYD,
Secretary of War.

Countersigned.

J. MADISON COTTS,
Second Comptroller.

Registered 8.

T. J. D. FULTON,
Second Auditor.

Appropriations.	Expenses of recruiting, ...	$214 92
	Med. and hospt. depart., ...	171 00
		$385 92

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War Department.

$65 97 No. 8885.

To the Secretary of the Treasury.

Sir: Please to cause a warrant of sixty-five dollars and ninety-seven cents, to be issued in favor of Maj. J. Y. Dashiell, paymaster, to be carried by counter regr. to his credit on account of pay of the army, per cer. 2d compt. 6733; to be charged to the undermentioned appropriations.

Given under my hand, this 23d day of April, 1858.

(Signed) JOHN B. FLOYD,
Secretary of War.

Countersigned.

J. MADISON CUTTS,
Second Comptroller.

Recd. and registered 27.

T. J. D. FULTON,
Second Auditor.

Appropriation.	Med. and hospl. depart., ...	48 50
	Pay of clothing to discharged soldiers, 2d March, 1857, ...	17 47
		$65 97

Finis. Transcript from Treasury, "C."

Exhibit D. (Plaintiffs' and Defendants' Bill of Exceptions.)

TREASURY DEPARTMENT, REGISTER'S OFFICE,
July 19th, 1858.

Pursuant to the act of March 3d, 1797, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public moneys," I, F. Bigger, register of the treasury department, do hereby certify that the annexed are true copies of original warrants, and the drafts issued thereon in favor of Major J. Y. Dashiell, paymaster, now on file in this office.

F. BIGGER,
Register.

Be it remembered, that F. Bigger, Esq., who certified the annexed transcript, is now, and was at the time of doing so, register of the treasury of the United States; and that full faith and credit are due to his official attestations.

[SEAL.] In testimony whereof, I, Howell Cobb, secretary of the treasury of the United States, have hereunto subscribed my name, and caused to be affixed the seal of this department, at the city of Washington, this 19th day of July, in the year of our Lord, 1858.

HOWELL COBB,
Secretary of the Treasury.

Treasury Department.

War Warrant, No. 5004.

Appropriation.	
Pay of army, . .	$19,000
Subsistence of officers,	5,200
Forage, . . .	500
Payments in lieu of clo.,	300

To the treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, Charleston, S. C., or order, out of the appropriations named in the margin, twenty-five thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 5037, of the secretary of war, dated 24th April, 1855, countersigned by the second comptroller of the treasury, and registered by the 2d auditor. For so doing, this shall be your warrant.

Given under my hand and the seal of the treasury, this 24th day of April, in the year one thousand eight hundred and fifty-five, and of independence the 79th.

$25,000.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned.

E. WHITTLESEY,
Comptroller.

Registered.

F. BIGGER,
Register.

Received for the above warrant, the following draft:

No. 8481, on A. T., Charleston, ... $25,000

No. 8481. War Warrant, No. 5004.

TREASURY OF THE UNITED STATES,
WASHINGTON, 24th April, 1855.

$25,000.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, twenty-five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 8481. Registered April 24, 1855. $25,000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer U. S., Charleston, S. C.

Indorsed on the back: J. Y. Dashiell, P. M. U. S. Army; carried to credit, April 27, 1855.

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Treasury Department.

War Warrant, No. 5538.

Appropriation.	
Pay of army, . .	$10,000
Subsistence of officers,	4,600
Forage, . . .	300
Pay in lieu of cloth.,	100
	$15,000

To the treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, or order, out of the appropriation named in the margin, fifteen thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 5235, of the secretary of war, dated 16th June, 1855, countersigned by the second comptroller of the treasury, and registered by the auditor. For so doing, this shall be your warrant.

Given under my hand and the seal of the treasury, this 20th day of June, in the year one thousand eight hundred and fifty-five, and of independence the 79th.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant, the following draft:

No. 8877, on A. T., Charleston, ... $15,000

No. 8877. War Warrant, No. 5538.

TREASURY OF THE UNITED STATES,
WASHINGTON, 20 June, 1855.

$15,000.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, fifteen thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 8877. Registered June 20th, 1855. $15,000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer U. S., Charleston, S. C.

On the reverse, indorsed: June 26th, 1855, J. G. Dashiell, P. M. U. S. Army.

Treasury Department.

War Warrant, No. 5539.

Appropriation.	
Pay of army, . .	$5500
Subsistence of officers,	2300
Forage, . . .	100
Pay in lieu of clo., .	100
	$8000

To the treasurer of the United States, greeting:

The assistant treasurer at New York, pay to to be placed to credit of Major J. Y. Dashiell, paymaster, at Charleston, S. C., or order, out of the appropriation named in the margin, eight thousand dollars; and for which sum the said Major Dashiell is to be charged and held accountable, pursuant to requisition No. 5236, of the secretary of war, dated 16th June, 1855, countersigned by the second comptroller of the treasury, and registered by the 2d auditor. For so doing, this shall be your warrant.

Given under my hand and the seal of the treasury, this 20th day of June, in the year one thousand eight hundred and fifty-five, and of independence 79th.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned, E. WHITTLESEY,
Comptroller.

Registered, F. BIGGER,
Register.

Received for the above warrant, the following draft:

No. 8878, on A. T., New York, ... $8000

No. 8878. War Warrant, No. 5539.

TREASURY OF THE UNITED STATES,
WASHINGTON, 20th June, 1855.

$8000.

At sight, pay to asst. tr., New York, for acc't Major J. Y. Dashiell, paymaster, or order, eight thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 8878. Registered June 20th, 1855. $8000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., New York.

Indorsed, on the reverse: John J. Cisca, assistant treasurer U. S., to be placed to the credit of Major J. Y. Dashiell, paymaster.

Treasury Department.

War Warrant, No. 6167.

Appropriation.	
Pay of the army,	$12,000
Subsistence of officers,	2,500
Forage, . . .	300
Pay in lieu of clo., .	200
	$15,000

To the treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, Charleston, S. C., or order, out of the appropriation named in the margin, fifteen thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 5491, of the secretary of war, dated 15th August, 1855, countersigned by the second comptroller of the treasury, and registered by the 2d auditor. For so doing, this shall be your warrant.

Given under my hand, and the seal of the treasury, this 17th day of August, in the year one thousand eight hundred and fifty-five, and of the independence, the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant, the following draft:

No. 9345, on A. T., Charleston, ... $15,000

No. 9345. War Warrant, No. 6167.

TREASURY OF THE UNITED STATES,
WASHINGTON, August 18th, 1855.

$15,000.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, fifteen thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 9345. Registered August 18th, 1855. $15,000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., Charleston.

On the reverse, indorsed, to wit: J. Y. Dashiell, paymaster, U. S. army. Aug. 22d, 1855.

Treasury Department.

War Warrant, No. 6228.

To the treasurer of the United States, greeting:

Appropriation.
4 add. reg'ts.
$1000.

Pay to Major J. Y. Dashiell, paymaster, Charleston, S. C., or order, out of the appropriation named in the margin, one thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 5506, of the secretary of war, dated 22d August, 1855, countersigned by the second comptroller of the treasury, and registered by the 2d auditor. For so doing, this shall be your warrant.

Given under my hand, and the seal of the treasury, this 25th day of August, in the year one thousand eight hundred and fifty-five, and of independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned, E. WHITTLESEY,
Comptroller.

Registered, F. BIGGER,
Register.

Received for the above warrant, the following draft:

No. 9374, on A. T., Charleston, ... $1000

No. 9374. War Warrant, No. 6228.

TREASURY OF THE UNITED STATES,
WASHINGTON, August 27th, 1855.

$1000.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, one thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 9374. Registered August 27th, 1855. $1000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., Charleston.

On the reverse, indorsed: J. Y. Dashiell, P. M., U. S. Army.

Treasury Department.

War Warrant, No. 7200.

To the Treasurer of the United States, greeting:

The assistant treasurer, New York, pay to, to be placed to the credit of Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, five thousand dollars. And for which sum the said Major Dashiell is to be charged and held accountable, pursuant to requisition No. 588, of the secretary of war, dated 22d December, 1855, countersigned by the second comptroller of the treasury, and registered by the second auditor; and for so doing, this shall be your warrant.

Appropriation:	
Pay of the army, .	$3000
Add. regiments, .	2000
	$5000

Given under my hand and the seal of the treasury, this 24th day of December, in the year one thousand eight hundred and fifty-five, and of Independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

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Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 10,046, on A. T., New York, . .	$5000

No. 10,046. War Warrant, No. 7200.

Treasury of the United States,
Washington, December 26th, 1855.

At sight pay to the assistant treasurer, New York, to be placed to the credit of Major J. Y. Dashiell, paymaster, or order, five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 10,046. Registered December 26th, 1855. $5000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer United States, New York.

(On the reverse indorsed): John J. Cisca, assistant treasurer U. S. Placed to the credit of Maj. J. Y. Dashiell, paymaster.

Treasury Department.

War Warrant, No. 7201.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, ten thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 5882 of the secretary of war, dated 22d December, 1855, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing, this shall be your warrant.

Appropriation.	
Pay of army, . .	$6,000
Subsistence of officers,	3,500
Forage, . . .	300
Pay't in lieu of clo., .	200
	$10,000

Given under my hand and the seal of the treasury, this 24th day of December, in the year one thousand eight hundred and fifty-five, and of Independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 10,047, on A. T., Charleston, . . $10,000

No. 10,047. War Warrant, No. 7201.

TREASURY OF THE UNITED STATES,
WASHINGTON, December 26th, 1855.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, ten thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 10,047. Registered December 26th, 1855. $10,000

F. BIGGER,
Register of the Treasury.

Assistant treasurer United States, Charleston, S. C.

(On the reverse indorsed): January 1st, 1855. J. Y. Dashiell, master, United States Army.

Treasury Department.

War Warrant, No. 6844.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, Charleston, S. C., or order, out of the appropriation named in the margin, nine thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 5738 of the secretary of war, dated 5th November, 1855, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing, this shall be your warrant.

Appropriation.	
Pay of the army, .	$6,500
Subsistence of officers,	2,000
Forage, . . .	300
Pay't in lieu of clo., .	200
	$9,000

Given under my hand and the seal of the treasury, this 7th day of November, in the year one thousand eight hundred and fifty-five, and of Independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned.

E. WHITTLESEY,
Comptroller.

Registered,

F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 9804, on A. T., Charleston, . . . $9000

No. 9804. War Warrant, No. 6844.

TREASURY OF THE UNITED STATES,
WASHINGTON, November 8th, 1855.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, nine thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 9804. Registered November 8th, 1855. States. $

F. BIGGER,
Register of the Treasury.

Assistant treasurer United States, Charleston.

(On the reverse indorsed): J. Y. Dashiell, paymaster United States Army.

Treasury Department.

War Warrant, No. 7623.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, ten thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 6080 of the secretary of war, dated 12th February, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing, this shall be your warrant.

Appropriation.	
Pay of the army, .	$6,000
Subsistence of officers,	3,500
Forage, . . .	300
Pay't in lieu of clo., .	200
	$10,000

Given under my hand and the seal of the treasury, this 15th day of February, in the year one thousand eight hundred and fifty-six, and of Independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned.

E. WHITTLESEY,
Comptroller.

Registered.

F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 243, on A. T., Charleston, . . $10,000

No. 243. War Warrant, No. 7623.

TREASURY OF THE UNITED STATES,
WASHINGTON, February 16th, 1856.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, ten thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 243. Registered February 16th, 1856. $10,000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer United States, Charleston.

(On the reverse indorsed): Place to my credit. J. Y. Dashiell, paymaster, United States Army. February 20th, 1856. Charleston, S. C.

Treasury Department.

War Warrant, No. 7973.

To the Treasurer of the United States, greeting:

The assistant treasurer, New York, pay to, to be placed to the credit of Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, five thousand dollars. And for which sum the said Major Dashiell is to be charged and held accountable, pursuant to requisition No. 6234 of the secretary of war, dated 5th April, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing, this shall be your warrant.

Given under my hand and the seal of the treasury, this 8th day of April, in the year one thousand eight hundred and fifty-six, and of Independence the eightieth.

Appropriation.

Pay of the army, . $10,000

JAMES GUTHRIE,
Secretary of the Treasury.

$5,000

Countersigned.

E. WHITTLESEY,
Comptroller.

Registered.

F. BIGGER,
Register.

Received for the above warrant the following draft:

513, on A. T., New York, ... $5000

No. 513. War Warrant, No. 7973.

Treasury of the United States,
Washington, April 8th, 1856.

At sight, pay to assistant treasurer, New York, for credit Major J. Y. Dashiell, paymaster, or order, five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 513. Registered April 8th, 1856. $5000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer United States, New York.

Treasury Department.

War Warrant, No. 7974.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, seventeen thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 6235 of the secretary of war, dated 5th April, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing, this shall be your warrant.

Appropriation.	
Pay of army, . .	$12,500
Subsistence of officers,	4,000
Forage, . . .	300
Pay't in lieu of clo., .	200
	$17,000

Given under my hand and the seal of the treasury, this 8th day of April, in the year one thousand eight hundred and fifty-six, and of Independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned.

E. WHITTLESEY,
Comptroller.

Registered.

F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 514, on A. T., Charleston, . . . $17,000

No. 514. War Warrant, No. 7974.

TREASURY OF THE UNITED STATES,
WASHINGTON, April 8th, 1856.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, seventeen thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 514. Registered April 8th, 1856. $17,000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer United States, Charleston, S. C.,

(On the reverse indorsed): Place to my credit. April 11th, 1856.
J. Y. Dashiell, paymaster United States Army.

Treasury Department.

War Warrant, No. 8397.

To the Treasurer of the United States, greeting:

Pay to Maj. J. Y. Dashiell, paymaster fort Moultrie, Charleston, S. C., or order, out of the appropriation named in the margin, five thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 6466 of the secretary of war, dated 9th June, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing this shall be your warrant.

Appropriation.

Pay of the army.

Given under my hand and seal of the treasury this 11th day of June, in the year one thousand eight hundred and fifty-six, and of independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

$5,000. Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 834, on A. T., Charleston, . $5,000.

No. 834. War Warrant, No. 8397.

TREASURY OF THE UNITED STATES,
WASHINGTON, June 12th, 1856.

At sight pay to Maj. J. Y. Dashiell, paymaster, or order, five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 834. Registered June 12th, 1856. $5000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer U. S., New York.

(On the reverse indorsed): Place to my credit. J. Y. Dashiell, P. M. U. S. Army. Placed to his credit. B. C. Pressley. By C. H. Swintone, clerk.

1869

Treasury Department.

War Warrant, No. 8398.

To the Treasurer of the United States, greeting:

The assistant treasurer New York, pay to , to be placed to the credit of Major J. Y. Dashiell, paymaster at fort Moultrie, Charleston, or order, out of the appropriation named in the margin, one thousand dollars. And for which sum the said Major Dashiell is to be charged and held accountable, pursuant to requisition No. 6468 of the secretary of war, dated 9th June, 1856, countersigned by the second comptroller of the treasury, and registered by the auditor. For so doing this shall be your warrant.

Appropriation.

Pay of the army, $1000.

Given under my hand and seal of the treasury this 11th day of June, in the year one thousand eight hundred and fifty-six, and of independence the eightieth.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 835, on A. T., New York, $1000.

No. 835. War Warrant, No. 8398.

TREASURY OF THE UNITED STATES,
WASHINGTON, June 12th, 1856.

At sight pay to assistant treasurer, New York, to be placed to the credit of Major J. Y. Dashiell, paymaster, or order, one thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 835. Registered June 12th, 1856. $1000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer U. S., New York.

(On the reverse indorsed, to wit): John J. Cisac, assistant treasurer U. S., placed to the credit of Major J. Y. Dashiell, paymaster.

Treasury Department.

War Warrant, No. 8780.

To the Treasurer of the United States, greeting:

Pay to the assistant treasurer at New York, to be placed to the credit of Major J. Y. Dashiell, or order, out of the appropriation named in the margin, five thousand dollars. And for which sum he, said Major J. Y. Dashiell, is to be charged and held accountable, pursuant to requisition No. 6645 of the secretary of war, dated 4th August, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing this shall be your warrant.

Appropriation.

Pay of the army, $5000.

Given under my hand and seal of the treasury this 5th day of August, in the year one thousand eight hundred and fifty-six, and of independence the eighty-first.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 1119, on A. T., New York, . . $5,000.

No. 1119. War Warrant, No. 8780.

TREASURY OF THE UNITED STATES,
WASHINGTON, August 6th, 1856.

At sight pay to assistant treasurer, New York, to be credited to Major J. Y. Dashiell, paymaster, or order, five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 1119. Registered August 6th, 1856. $5000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer U. S., New York.

(Indorsed on the reverse): John J. Cisca, assistant treasurer U. S., placed to the credit of Major J. Y. Dashiell, paymaster.

Treasury Department.
War Warrant, No. 8781.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, Charleston, S. C., or order, out of the appropriation named in the margin, ten thousand dollars. And for which sum he is to be charged and held accountable, pursuant to requisition No. 6646 of the secretary of war, dated 4th August, 1856, countersigned by the second comptroller of the trea-

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sury, and registered by the second auditor. For so doing this shall be your warrant.

Appropriation.
Pay of the army,
$10,000.

Given under my hand and the seal of the treasury this 5th day of August, in the year one thousand eight hundred and fifty-six, and of independence the eighty-first.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 1120, on A. T., Charleston, $10,000.

No. 1120. War Warrant, No. 8781.

TREASURY OF THE UNITED STATES,
WASHINGTON, August 6th, 1856.

At sight pay to Major J. Y. Dashiell, paymaster, or order, ten thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 1120. Registered August 6th, 1856. $10,000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer U. S., Charleston.

(Indorsed on the reverse of the draft, to wit): J. Y. Dashiell, P. M. U. S. Army.

Treasury Department.

War Warrant. War Dep. No. 9086.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, to be charged to the appropriation named in the margin, one thousand and forty-four dollars and six cents, being the amount transferred to other appropriations by refunding Warrant No. 405, pursuant to requisition No. 6749 of the secretary of war, dated 5th September, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing this shall be your warrant.

Appropriation.	
Clothing army, . .	$833 06
Mas. extra pay, . .	114 00
Relief of certain Tenn. volunteers, . .	83 05
Pay of volunteers, .	13 95
	$1,044 06

Given under my hand and the seal of the treasury this 13th day of September, in the year one thousand eight hundred and fifty-six, and of independence the 81st.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered.

C. T. JONES,
Acting Register.

The treasurer will receive credit for the above warrant, upon his receipting counter-warrant No. 405.

E. WHITTLESEY,
Comptroller.

Treasury Department.

War Warrant, No. 9347.

To the Treasurer of the United States, greeting:

The assistant treasurer, New York, pay, to be credited to Major J. Y. Dashiell, paymaster, at Charleston, S. C., or order, out of the appropriation named in the margin, five thousand dollars. And for which sum he, said Dashiell, is to be charged and held accountable, pursuant to requisition No. 6909 of the secretary of war, dated 6th October, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing this shall be your warrant.

Appropriation.
Pay of the army,
$5000.

Given under my hand and the seal of the treasury this 9th day of October, in the year one thousand eight hundred and fifty-six, and of independence the eighty-first.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 1588, on A. T., New York, . . $5,000.

No. 1588. War Warrant, No. 9347.

TREASURY OF THE UNITED STATES,
WASHINGTON, October 10th, 1856.

At sight pay to assistant treasurer, New York, for credit of Major J. Y. Dashiell, paymaster, or order, five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 1588. Registered October 10th, 1856. $5,000.

F. BIGGER,
Register of the Treasury.

Assistant treasurer U. S., New York.

(Indorsed on the reverse): John J. Cisca, assistant treasurer U. S., placed to the credit of Major J. Y. Dashiell, paymaster.

Treasury Department.

War Warrant, No. 9348.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Charleston, or order, out of the appropriation named in the margin, fifteen thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 6910 of the secretary of war, dated 6th October, 1856, countersigned by the second comptroller of the treasury, and registered by the 2d auditor; for so doing this shall be your warrant.

Appropriation.	
Pay of army,	$10,000
Sub. of off.,	4,300
Forage,	400
Pay in lieu of clo.,	300
$15,000.	

Given under my hand and the seal of the treasury this 9th day of October, in the year one thousand eight hundred and fifty-six, and of independence the eighty-first.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 1589, on A. T., Charleston, . . . $15,000

No. 1589, War Warrant, No. 9348.

TREASURY OF THE UNITED STATES,
$15,000. WASHINGTON, Oct. 10th, 1856.

At sight, pay to Maj. J. Y. Dashiell, paymaster, or order, fifteen thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 1589. Registered Oct. 10, 1856. $15,000.

F. BIGGER,
Register of the Treasury.

Asst. Treasurer U. S., Charleston, S. C.

(On the reverse indorsed): J. Y. Dashiell, paymaster U. S. army. Oct. 14, 1856.

Treasury Department.

War Warrant, No. 9864.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Fort Moultrie, Charleston, S. C., or order, out of the appropriation named in the margin, fifteen thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 7117 of the secretary of war, dated 8th December, 1856, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing, this shall be your warrant.

Appropriation.	
Pay of army,	$10,000
Sub. offi.	4,400
Forage,	400
Pay in lieu of clo.,	200
	$15,000

Given under my hand and the seal of the treasury, this 10th day of December, in the year one thousand eight hundred and fifty-six, and of independence the eighty-first.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 1965, on A. T., Charleston, . . . $15,000

No. 1965. War Warrant, No. 9864.

TREASURY OF THE UNITED STATES,
WASHINGTON, December 11th, 1856.

$15,000.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, fifteen thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 1965. Registered December 11th, 1856. $15,000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., Charleston.

(Indorsed on the reverse): Dec. 15th, 1856. J. Y. Dashiell, paymaster U. S. Army.

Treasury Department.

War Warrant, No. 9865.

To the Treasurer of the United States, greeting:

The assistant treasurer New York, pay to, to be credited to Major J. Y. Dashiell, paymaster at Fort Moultrie, Charleston, S. C., or order, out of the appropriation named in the margin, one thousand dollars, and for which sum he, said Dashiell, is to be charged and held accountable, pursuant to requisition No. 7118 of the secretary of war, dated 8th December, 1856, countersigned by the second comptroller of the treasury, and registered by the auditor; for so doing this shall be your warrant.

Given under my hand and the seal of the treasury, this 10th day of December, in the year one thousand eight hundred and fifty-six, and of independence the eighty-first.

Appropriation.	
Pay of army,	$1000

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 1966, on A. T., New York, ... $1000.

No. 1966. War Warrant, No. 9865.

Treasury of the United States,
Washington, December 11th, 1856.

$1000.

At sight, pay to assistant treasurer, New York, to be credited to Major J. Y. Dashiell, paymaster, or order, one thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 1966. Registered Dec. 11th, 1856. $1000.

F. BIGGER,
Register.

Assistant Treasurer U. S., New York.

(On the reverse indorsed): John J. Cisca, Assistant Treasurer U. S. Placed to the credit of Major J. Y. Dashiell, paymaster.

Treasury Department.

War Warrant, No. 419.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, twenty-three thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 7356 of the secretary of war, dated 14th February, 185 , countersigned by the second comptroller of the treasury, and registered by the 2d auditor; for so doing this shall be your warrant.

Appropriation.	
Pay of the army,	$15,000
Subs. of officers,	7,200
Forage,	600
Pay in lieu of clo.,	200
	$23,000

Given under my hand and the seal of the treasury, this 17th day of February, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 2419, on A. T., Charleston, . . . $23,000

No. 2419. War Warrant, No. 419.

Treasury of the United States,
Washington, February 18th, 1857.

$23,000.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, twenty-three thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 2419. Registered February 18th, 1857. $23,000.
F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., Charleston.

(Indorsed on the reverse): Feb. 21, 1857. J. Y. Dashiel, paymaster, U. S. Army.

Treasury Department.

War Warrant, No. 420.

To the Treasurer of the United States, greeting:

The assistant treasurer, New York, pay to, to be credited to Major J. Y. Dashiell, paymaster, at Charleston, S. C., or order, out of the appropriation named in the margin, five thousand dollars, and for which sum he, said Dashiell, is to be charged and held accountable, pursuant to requisition No. 7357 of the secretary of war, dated 14th February, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing this shall be your warrant.

1877

Pay of the army, $5000.	Given under my hand and the seal of the treasury, this 17th day of February, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

JAMES GUTHRIE,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 2420, on A. T., New York, ... $5000

No. 2420. War Warrant, No. 420.

TREASURY OF THE UNITED STATES,
WASHINGTON, February 18th, 1857.

At sight, pay to assistant treasurer, New York, to be credited to Major J. Y. Dashiell, paymaster, or order, five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 2420. Registered February 18th, 1857. $5000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., New York.

(Indorsed on the reverse): John J. Cisca, assistant treasurer, N. Y. Placed to the credit of Major J. Y. Dashiell, paymaster.

Treasury Department.

War Warrant, No. 550.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Fort Moultrie, Charleston, South Carolina, or order, out of the appropriation named in the margin, five thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 7424 of the secretary of war, dated 6th March, 1857, countersigned by the second comptroller of the treasury, and segistered by the second auditor; for so doing this shall be your warrant.

Appropriation. Subsistence of officers. $5000	Given under my hand and the seal of the treasury this 9th day of March, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

HOWELL COBB,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered.
F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 2530, on A. T., New York, . $5000.

No. 2530. War Warrant, No. 550.

TREASURY OF THE UNITED STATES,
WASHINGTON, March 10th, 1857.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, five thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 2530. Registered March 10th, 1857. $5000.
F. BIGGER,
Register of the Treasury.

United States treasurer, United States, New York.

(On the reverse indorsed): Assistant treasurer United States, New York, will place the amount of the within treasury draft to my credit on his books for public disbursements. J. Y. Dashiell, paymaster United States army, Fort Moultrie, South Carolina, March 27th, 1857.

Treasury Department.

War Warrant, No. 551.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Fort Moultrie, Charleston, South Carolina, or order, out of the appropriation named in the margin, eleven thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 7425 of the secretary of war, dated 6th March, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor; for so doing this shall be your warrant.

Appropriation.	
Pay of the army,	$10,000
Subsistence of officers,	$1,000
	$11,000

Given under my hand and the seal of the treasurer, this 9th day of March, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

HOWELL COBB,
Secretary of the Treasury.

Countersigned. E. WHITTLESEY,
Comptroller.

Registered. F. BIGGER,
Register.

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Received for the above warrant the following draft:

No. 2531 on A. T., New York, . $11,000.

No. 2531. War Warrant, No. 551.

TREASURY OF THE UNITED STATES,
WASHINGTON, March 10th, 1857.

At sight, pay to Major J. Y. Dashiell, paymaster, or order eleven thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 2531. Registered March 10th, 1857. $11,000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer United States, New York.

(Indorsed on the reverse): J. Y. Dashiell, paymaster United States army, pay R. H. Lowry, Esq., cashier, or order, W. C. Breeze, cashier. R. H. Lowry, cashier.

Treasury Department.

War Department.

War Warrant, No. 664.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, to be charged to the appropriation named in the margin, two hundred and fifty dollars and thirty-eight cents, being the amount transferred to other appropriations, by refunding warrant No. 884, pursuant to requisition No. 7433 of the secretary of war, dated 9th March, 1857, countersigned by the second comptroller of the treasury; for so doing this shall be your warrant.

Appropriation.	
3 mos. extra pay, . .	$87
Pay of vol's, . .	103 12
P. & S. Ind. Host., .	60 26
	$250 38

Given under my hand and the seal of the treasury, this 21st day of March, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

HOWELL COBB,
Secretary of the Treasury.

Countersigned.

E. WHITTLESEY,
Comptroller.

Registered.

F. BIGGER,
Register.

The treasurer will receive credit for the above warrant upon his receipting counter-warrant No. 884.

E. WHITTLESEY,
Comptroller.

Treasury Department.

War Warrant, No. 813.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, Charleston, South Carolina, or order, out of the appropriation named in the margin, twenty-six thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 7528 of the secretary of war, dated 7th April, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing this shall be your warrant.

Given under my hand and the seal of the treasury this 9th day of April, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

Appropriation:	
Pay of the army, .	. $18,000
Subsistence of officers, .	7,000
Forage, . . .	600
Pay in lieu of clo., .	400
	$26,000

HOWELL COBB,
Secretary of the Treasury.

Countersigned.

E. WHITTLESEY,
Comptroller.

Registered.

F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 2753 on A. T., Charleston, . $26,000

No. 2753. War Warrant, No. 813.

TREASURY OF THE UNITED STATES,
WASHINGTON, April 10th, 1857.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, twenty-six thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 2753. Registered April 10th, 1857. $26,000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer United States, Charleston, S. C.

(On the reverse indorsed): April 13th, 1855, J. Y. Dashiell, paymaster United States Army.

Treasury Department.

War Warrant, No. 1397.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, Charleston, South Carolina, or order, out of the appropriation named in the margin, twenty thousand dollars, and for which sum he is to be charged and held accountable, pursuant to requisition No. 7769 of the secretary of war, dated 10th June, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing this shall be your warrant.

Appropriation.	
Pay of the army, .	$14,000
Subsistence of officers,	5,000
Forage, . . .	600
Pay in lieu of clo., .	400
	$20,000

Given under my hand and the seal of the treasury this day of in the year one thousand eight hundred and fifty , and of independence the eighty-

HOWELL COBB,
Secretary of the Treasury.

Countersigned.

WM. MEDILL,
Comptroller.

Registered.

F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 3196 on A. T., Charleston, ... $20,000

No. 3196. War Warrant, No. 1397.

TREASURY OF THE UNITED STATES,
WASHINGTON, June 12th, 1857.

At sight, pay to Major J. Y. Dashiell, paymaster, or order twenty thousand dollars.

SAM. CASEY,
Treasurer of the United States.

Assistant Treasurer United States, Charleston.

No. 3196. Registered June 12th, 1857. $20,000.

F. BIGGER,
Register of the Treasury.

(On the reverse indorsed): J. Y. Dashiell, paymaster United States army, June 15th, 1857.

Treasury Department.

War Warrant, No. 1409.

To the Treasurer of the United States, greeting:

The assistant treasurer at New York, pay to, to be credited to Major J. Y. Dashiell, paymaster, at that place, or order, out of the appropriation named in the margin, fifteen thousand dollars, and for which sum he, the said Dashiell, is to be charged and held accountable. Pursuant to requisition No. 7774 of the secretary of war, dated 11th June, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing, this shall be your warrant.

Appropriation.	
Pay of the army,	$12,000
Subsistence of officers,	2,000
Forage, ...	800
Pay in lieu of clo., .	200
	$15,000

Given under my hand and the seal of the treasury, this 12th day of June, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

HOWELL COBB,
Secretary of the Treasury.

Countersigned. W. MEDILL,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 3207, on A. T., New York, ... $15,000.

No. 3207. War Warrant, No. 1409.

TREASURY OF THE UNITED STATES,
WASHINGTON, June 13, 1857.

At sight, pay to assistant treasurer United States, New York, to be credited to Major J. Y. Dashiell, paymaster, or order, fifteen thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 3207. Registered June 13th, 1857. $15,000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., New York.

(On the reverse indorsed): John J. Cisca, assistant treasurer U. S. Placed to the credit of Major J. Y. Dashiell, paymaster.

1883

Treasury Department.

War Warrant, No. 1410.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, Charleston, S. C., or order, out of the appropriation named in the margin, fifteen thousand dollars; and for which sum he is to be charged and held accountable. Pursuant to requisition No. 7775 of the secretary of war, dated 4th June, 1857, countersigned by the second comptroller, and registered by the second auditor. For so doing, this shall be your warrant.

Appropriation.	
Pay of the army,	$12,000
Subsistence of officers,	2,000
Forage, . . .	800
Pay in lieu of clo., .	200
	$15,000

Given under my hand and the seal of the treasury, this 12th day of June, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-first.

HOWELL COBB,
Secretary of the Treasury.

Countersigned. WM. MEDILL,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 3208, on A. T., Charleston, ... $15,000

No. 3208. War Warrant, No. 1410.

TREASURY OF THE UNITED STATES,
WASHINGTON, June 13th, 1857.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, fifteen thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 3208. Registered, June 13th, 1857. $15,000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer, U. S., Charleston.

(Indorsed on the reverse): J. Y. Dashiell, paymaster U. S. army. June 16th, 1857.

Treasury Department.

War Warrant, No. 1940.

To the Treasurer of the United States, greeting:

The assistant treasurer, New York, pay to, to be credited to Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, one thousand dollars; and for which sum he, said Dashiell, is to be charged and held accountable. Pursuant to requisition No. 7986 of the secretary of war, dated 4th August, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing, this shall be your warrant.

Appropriation.

Pay of the army.

$1000.

Given under my hand and the seal of the treasury, this 6th day of August, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-second.

HOWELL COBB,
Secretary of the Treasury.

Countersigned. WM. MEDILL,
Comptroller.

Registered. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 3636, on A. T., New York, ... $1000

No. 3636. War Warrant, No. 1940.

Treasury of the United States,
Washington, August 8, 1857.

At sight, pay to assistant treasurer U. S., New York, to be credited to Major J. Y. Dashiell, paymaster, or order, one thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 3636. Registered Aug. 8, 1857. $1000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., New York.

(Indorsed): J. Y. Cisca, assistant treasurer U. S. Placed to the credit of Major J. Y. Dashiell, paymaster.

Treasury Department.

War Warrant, No. 1941.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster at Charleston, S. C., or order, out of the appropriation named in the margin, twelve thousand dollars, and for which sum he is to be charged and held accountable. Pursuant to requisition No. 7987 of the secretary of war, dated 4th August, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing, this shall be your warrant.

1555

Appropriation.	
Pay of the army, .	$8,000
Subsistence of officers,	3,600
Forage, . . .	300
Pay in lieu of clo., .	100
	$12,000

Given under my hand and the seal of the treasury, this 6th day of August, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-second.

HOWELL COBB,
Secretary of the Treasury.

Countersigned. W. MEDILL,
Comptroller.

Registered. B. F. BIGGER,
Register.

Received for the above warrant the following draft:

No. 3637, on A. T., New York, ... $12,000

No. 3637. War Warrant, No. 1941.

TREASURY OF THE UNITED STATES,
WASHINGTON, August 8th, 1857.

$12,000.

At sight, pay to Major J. Y. Dashiell, paymaster, or order, twelve thousand dollars.

SAM. CASEY,
Treasurer of the United States.

No. 3637. Registered August 8th, 1857. $12,000.

F. BIGGER,
Register of the Treasury.

Assistant Treasurer U. S., New York.

(Indorsed): J. Y. Dashiell, paymaster, U. S. army.

Treasury Department.

War Warrant, War Department, No. 2284.

To the Treasurer of the United States, greeting:

Pay to Major J. Y. Dashiell, paymaster, to be charged to the appropriation named in the margin, four hundred and twenty-five dollars and five cents, being amount transferred to other appropriations, by refunding warrant, No. 1311. Pursuant to requisition No. 8090 of the secretary of war, dated 7th September, 1857, countersigned by the second comptroller of the treasury, and registered by the second auditor. For so doing, this shall be your warrant.

Appropriation.	
Clothing army, .	$202 59
Trav. allow. to vols.,	43 73
3 mos. extra pay, .	72 00
Pay of vols., . .	31 73
Med. and H. dept.,	75 00
	$425 05

Given under my hand and the seal of the treasury, this 17th day of September, in the year one thousand eight hundred and fifty-seven, and of independence the eighty-second.

HOWELL COBB,
Secretary of the Treasury.

Countersigned. WM. MEDILL,
Comptroller.

Registered. F. BIGGER,
Register.

The treasurer will receive credit for the above warrants, upon his receipting counter-warrant, No. 1311.

W. MEDILL,
Comptroller.

Finis. Exhibit "D."

The plaintiff having already read in evidence the bond declared on, marked "A.," in words to wit:

Exhibit "A." "Bond."

Know all men by these presents, that we, Jeremiah Y. Dashiell, J. A. Paschal, and Hanson Alsbury, are holden, and stand firmly bound and obliged unto the United States of North America, or their certain attorney, in the penal sum of twenty thousand dollars, current money of the said United States, well and truly to be paid into their treasury; for which payment, faithfully to be made and done, we, the said Jeremiah Y. Dashiell, J. A. Paschal, and Hanson Allsbury, do bind ourselves, and each of us, our heirs, executors, and administrators, and each and every of them, for and in the whole, jointly, severally, and firmly, by these presents.

Signed with our hands, and sealed with our seals, this sixth day of March, in the year one thousand eight hundred and fifty-five.

The condition, however, of this obligation is such, that whereas, the above bounden Jeremiah Y. Dashiell is appointed a paymaster in the army of the United States aforesaid. Now, if the said Jeremiah Y. Dashiell shall well and truly execute and faithfully discharge, according to law, and to instructions received by him from proper authority, his duties as paymaster aforesaid; and he, his heirs, executors, or administrators, shall regularly account, when thereunto required, for all moneys received by him, from time to time, as paymaster aforesaid, with such person or persons as shall be duly authorized and qualified on the part of the said United States for that purpose, and also refund at any time, when thereunto required, any public moneys remaining in his hands unaccounted for, then this obligation shall be null, void, and of no effect; otherwise, to remain, and be in full force and virtue.

Done at Charleston, in the State of South Carolina, the day and year before written.

J. Y. DASHIELL, [L. S.]
J. A. PASCHAL, [L. S.]
HANSON ALSBURY, [L. S.]

Signed, sealed and delivered
in the presence of
WM. L. POLK,
THOMAS EVANS,
Witnesses to J. Y. Dashiell.

W. L. POLK.

I, Jeremiah Y. Dashiell, do solemnly swear that I will diligently and faithfully execute and perform the duties of paymaster in the army of the United States of North America, according to the best skill and abilities of which I am possessed. So help me God.

J. Y. DASHIELL.

Sworn and subscribed to at Charleston, in the State of South Carolina, this twentieth day of March, 1855, before

THOS. D. CONDY,
Notary Public, and Magistrate ex-officio.

(Indorsed, on the reverse side of the bond, in words, is the following, to wit):

State of Texas, County of Bexar.

Before me, the undersigned justice of the peace, in and for the county and State aforesaid, duly commissioned and authorized to administer oaths and affidavits, personally appeared Isaiah H. Paschal and Hanson Alsbury, to me well known, of said ——, who being duly sworn, the said I. H. Paschal states upon his oath that he is worth more than ten thousand dollars over and above all his debts and liabilities, and the said Hanson Alsbury states that he is worth more than ten thousand dollars over all his debts and liabilities.

I. H. PASCHAL,
HANSON ALSBURY.

Sworn and subscribed before me, this March 6, 1855.

F. J. PRYOR,
Justice of the Peace in and for the County and State aforesaid.

The State of Texas, County of Bexar.

I, Samuel S. Smith, clerk of the County Court of said county, do hereby certify, that F. J. Pryor, Esq., whose genuine signature appears to the affidavit on the reverse, was, at the time of so doing, a justice of the peace, in and for said county and State, duly commissioned and qualified as such, and that said County Court is a court of record.

To certify which, I have hereunto signed my name, and

[SEAL.] affixed the seal of the County Court of said county, at office in San Antonio, this 6th day of March, 1855.

SAMUEL S. SMITH,
Clerk C. C. B. Co.

By EDWARD MILES,
Deputy.

TREASURY DEPARTMENT,
SECOND COMPTROLLER'S OFFICE, March 3, 1855.

I have examined the within bond, and find it to be in legal and proper form.

T. PURRINGTON,
Acting Comptroller.

Respectfully submitted to the secretary of war for his approval.

BENJAMIN F. LARNED,
P. M. G.

("Exhibit A.")

Approved.

JEFFERSON DAVIS,
Secretary of War.

WAR DEPARTMENT, March 24, 1855.

The certificate of the secretary of the treasury, annexing the copy of the aforesaid bond, is in words, to wit:

"UNITED STATES OF AMERICA,
TREASURY DEPARTMENT, Sept. 24th, 1858.

Pursuant to the Act of Congress of 22d February, 1849, I hereby certify that the annexed is a true copy of the original on file in this department.

In witness whereof, I have hereunto set my hand, and [SEAL.] caused the seal of the treasury department to be affixed, on the day and year first above written.

HOWELL COBB,
Secretary of the Treasury.

And to the said account from the treasury, the defendants made the following objection, viz.:

1. That all the items charged as moneys not received from the treasury, which are particularly set forth in the refused instructions hereafter set forth in the refused instructions hereafter set out, and to which reference is here made, are not things in the necessary and ordinary discharge of the duties of Dashiell as paymaster, and therefore are not properly chargeable as matters arising on Dashiell's bond, nor proveable by certificate, and because the bond set out and proven is dated 6th March, 1855, and the accounts and proceedings purport to be upon bonds dated the 19th and 20th March, 1855, and

1859

therefore the variance is fatal, which objections were overruled by the court, and the said items read.

And be it further remembered, that when the bond sued on was offered in evidence, the defendants objected to the same because it was not certified according to law, and in fact not certified at all as a true copy, the certificate being merely attached to, and preceding the bond, but not mentioning it by name; but the objection was overruled by the court and the bond read, to which the defendants, by attorney, excepted.

And after the general charge by the court, the defendants asked the court for the following several instructions, which were refused, and which instructions asked are in words to wit:

Instructions asked by defendants, "filed January 19th, 1860.

M. HOPKINS,
Clerk."

THE UNITED STATES
v.
J. Y. DASHIELL & I. A. PASCHAL. } No. 523.

The defendants ask the court to instruct the jury, that the certified transcripts from the treasury department, only prove such accounts and proceedings of the defendant Dashiell as relate to his necessary duties as paymaster, and that under such a rule he is only chargeable with such items in the account as are supported by the Abstract "D." And, therefore, the certified account does not prove the several sums charged as so much delivered to him by other paymasters, which items are as follows, viz.:

1855.		
Apr. 23.	Rec'd of Major B. W. Brice, paymaster U.S.A.,	$25 00
May 1.	" Sgt. D. Johnson, over payment of Major Ringgold, Dec. 1, 1854, .	90
2.	" Major D. Hunter, P. M., . .	220 00
11.	" " " " . .	405 00
11.	" " " " . .	250 00
11.	" " " " . .	865 00
14.	" " " " . .	615 00
14.	" " " " . .	347 00
14.	" St. Clair Denny, ...	175 00
14.	" Lt. L. O. Morris, 1st Arty, for disallowance in 2d auditor's office for commutation of qua.'s from Dec. 1, 1853, to Feb. 20, 1854, . .	10 65
June 14.	" Major Lloyd J. Beall, P. M., . .	10 00
15.	" " D. Hunter, ...	12 50
July 31.	Drafts drawn on Col. Coffee, P. M., Sept. '53, short extended in acct. ct., .	200 00
	" " on Major D. Hunter, P. M., May 29, '55, short extended,	22 00

1856.			
Mar. 11.	Major Hiram Leonard, P. M., U. S. A.,		60 00
1855.			
Sept. 21.	J. R. Hagner, P. M., transferred to him 7th Feb. '55,		100 00
Nov. 30.	H. Hill, P. M., transferred May 14, '55,		155 74
1856.			
Jan. 26.	B. W. Brice, P. M., transferred Aug. 8, '55,		28 00
	St. Clair Denny, P. M., transferred Jan. 26, 1855,		585 26
	L. J. Beall, P. M., transferred April 27, '55,		3 55
	J. R. Hagner, P. M., transferred Sept. 19, '55,	$10 50	
	Feb. 7, '55,	3 00	
			13 00
	Appropriation for amount of suspensions, non admitted on vou. 126, 127, and 32, ch'gd in settlement of Major Dashiell's account June, '50, refunded by Lt. Thos. J. Wood, 2d Dragoons, to P. M. Johnston (who was charged to appropriation 7th Jan. 1851), paid over to P. M. Brice by Dashiell, Nov. 8, 1854,		10 41
1855.			
April 24.	D. Hunter, P. M., rec'd of him, May 2, 1855,	$100 00	
May 11.	$100, $75, $90, $100, $20, $20, $70, $30, $35, $30, $25, $45, $5, $2 50,	895 00	
14.	$50, $300, $40, $200, $400, $150, $42,	1,182 00	
15.	$55, $100, $100,	255 00	
29.	$290, $40, $22, $80,	142 00	
June 15.		12 50	
			$2586 50
April 24.	B. W. Brice, P. M., rec'd of him, 23 Apl, '55,		25 00
	G. W. Ringgold, P. M., am't rec'd by Major Dashiell, from Sgt. D. Johnson, May 1, 1855,		90
	D. Hunter, received of him 11 May, '55,		150 00
	St. Clair Denny, P. M., received of him 14 May, '55 ($50, $125),		175 00
	L. I. Beall, P. M., received of him 14 June, '55,		10 00
	H. Leonard, P. M., " " 7 January, 56,		7,178 00
	March 10, '57, F. A. Cunningham, P. M., transferred to him 12 March, '59,		40

January 7, '56, Maj. Hiram Leonard, P. M. U. S. A., on account of pay of the army.

2d. And said account does not prove the items purporting to be received from military storekeepers, post-captains, and others, and which items are as follows, viz.:

1855.		
Aug. 7.	Lt. H. W. Slocum, proceeds of effects of private F. Schuls, deceased, late Co. "H," 5 Arty.	$4 21
Sept. 10.	Br. Maj. J. H. Harkin, part of effects of Pat. Tracey, deceased, late of Co. "D," S. Arty.	50 00
Dec. 28.	I. M. Galt, M. S. K., proceeds of sale of camp bedstead,	36 28
" 31.	Lt. H. W. Slocum, 1st Art., appropriated to Mil. Asylum,	63
1856.		
Jan'y 12.	Capt. B. H. Hill, the proceeds of effects of private W. F. Scott, deceased, late of Co. "M," 1st Arty.	2 80
	Capt. B. H. Hill, proceeds of effects of private Thomas P. Murray, deceased, late of Co, "M," 1st Arty.	7 90
" 13.	Lt. L. O. Morris, account appropriated to Mil. Asylum,	5 00
29 March, '56,	received of J. A. Harkin, Capt. 1st Art'y, proceeds of effects of William McLaughlin, deceased, late of Co. "D," 1st Art'y,	15 95
29 March, '56,	J. A. Harkin, captain 1st Art'y, proceeds of effects of Ed. Walsh, deceased, late Co. "D," 1st Art'y,	33 60
"	J. A. Harkin, captain 1st Art'y, proceeds of Hiram Monk, deceased, late Co. "D," 1st Art'y,	89 25
7 January, 56,	J. M. Galt, Mil. S. K., received of him, December, '55,	36 28
24 April, '56,	L. O. Morris, 1st Art'y, received of him, 14 May, '55,	10 65
"	Appropriated for amount received of Lieut. H. W. Slocum, 7 August, '55, for proceeds of effects of F. Short, private Co. "H," 1st Art'y,	4 21
23 April, '56,	Lieut. J. D. Bingham, amount appropriated hospital funds, Barrancas barracks, Florida,	10
	Lieut. J. D. Bingham, amount appropriated Port Council fund, Barrancas barracks, Florida,	1 00
18 July, '56,	amount received of Lieut. L. O. Morris, proceeds of effects of J. Bohan, deceased, late Co. "L," 1st Art'y,	53 00

29 July, '56, Ord. Sergeant Luke Walker, an overpayment by Major Ringgold to him, 1 July, 30 September, '54, ...	10 00
24 November, '56, appropriation for amount received of Lieut. J. D. Bingham, for Mil. Asylum, 23 April, '56, ...	1 10
Amount of effects of Sergeant J. Bohan, late of Co. "L," 1st Art'y, received 18 July, 1856, . .	53 00
For amount of effects of private J. Nevin, late of Co. "G," 1st Art'y, received 28 July, '56, .	265 00
8 March, 57, Br. Lt. Col. J. H. Winder, proceeds of effects of J. Renfrow, deceased, late of Co. "G," 1st Art'y, ...	75
8 March, '57, received of Br. Lt. Col. J. W. Winder, proceeds of effects of Richard Ryan, late of Co. "G," 1st Art'y, ...	6 15
2 July, '57, received of Captain J. Roberts, 4th Art'y, proceeds of effects of private Pat. Carroll, deceased, late of Co. "D," 4th Art'y, . . .	2 81
Received of Br. Lt. Col. J. H. Winder, proceeds of effects of private William Railey, deceased, late of Co. "G," 1st Art'y, ...	5 00

3d. That as the aggregate balance claimed on page 52 shows a charge for subsistence of officers, $10,466 69,—subsistence of officers, $4233 99; forage, $3632 60; pay in lieu of clothing, officers and servants, $1750 46,—now these several amounts, not being in the ordinary discharge of his duty as paymaster, the certificate does not prove said items.

4th. No interest is chargeable until after the 7th April, 1858.

5th. The plaintiff declares upon a bond dated 6th March, 1855, and proved it of that date; and the account purports to be under "bond of 19th March, 1855, and 20th March, 1855." Such evidence does not support the breach laid in the petition, nor the case stated by the plaintiff in the petition. The variance is fatal, and the jury must find for the defendants.

6th. Should the last instruction be overruled, the defendant has plead that, while acting as paymaster and agent of the United States, he was robbed of thirteen thousand dollars, of which he recovered only three thousand three hundred and twenty-five dollars, leaving unrecovered nine thousand six hundred and seventy-five dollars, which he alleges he lost and never recovered; and he alleges that this money was lost while he was in the exercise of proper diligence, and not by any neglect of his own. Now, as agent of the United States, in the charge of its funds, he was bound to exercise all proper diligence in taking care of the public money. In order to find in his favor of this plea, the jury must be satisfied—

1st. That he had the public funds in charge.

2d. Was he robbed, and of how much?

4th. Was the robbery while he was in the exercise of proper diligence? or was he guilty of neglect? for if guilty of neglect, then the defendants cannot be relieved for the loss of any.

In arriving at their conclusion upon this plea, the jury must be governed by the legal evidence.

Said defendants' bill of instructions asked is indorsed by the judge, in words to wit:

"I refuse all the foregoing instructions asked, except the last, which is given. T. H. Duval, United States judge."

And to the refusal of said several instructions the defendants excepted.

All of which said several exceptions were taken at the trial, and before the jury retired; and now, to save the same, the defendants here tender this bill of exceptions, and pray that the same may be sealed and made a part of the record; which is done.

THOS. H. DUVAL, [SEAL.]
U. S. Judge.

Plaintiffs' Assignment of Errors.

In the District Court of the United States in and for the Western District of Texas, sitting at Austin.

THE UNITED STATES, plaintiffs,
v.
DASHIELL and PASCHAL, defendants.

And now comes the said plaintiffs, by the United States district attorney, and make the following assignments of error in the above-stated cause, to wit:

1st. The court erred in admitting illegal and incompetent testimony.

2d. The court erred in admitting testimony tending to prove the robbery and set-off plead by defendants.

3d. The court erred in admitting in evidence statements made by defendant Dashiell.

4th. The court erred in admitting testimony in relation to the confessions of the slave Washington.

5th. The court erred in its charge to the jury in reference to defendant's plea of robbery and set-off.

6th. The court erred in overruling motion for new trial, made by plaintiff.

Wherefore said plaintiff prays that the judgment of the court in said cause be reversed, and the cause be remanded, &c., and will ever pray, &c.

JAMES F. WARREN,
U. S. District Attorney.
W. L. & C. L. ROBARDS,
Special Counsel.

Filed August 30, 1860.

M. HOPKINS,
Clerk.

And afterwards, to wit, on the 1st day of September, 1860, the United States, by their attorneys, W. L. & C. L. Robards, filed their writ of error allowed by the Hon. Thomas H. Duval, Judge of the United States Court for the Western District of Texas; which writ of error is indorsed to wit:

Supreme Court of the United States. The United States, plaintiffs in error, *v.* Jeremiah Y. Dashiell and Isaiah A. Paschal, defendants in error. Writ of error. Issued Sept. 1, 1860. Matthew Hopkins, clerk.

And which writ of error is in words to wit:

United States of America, *ss.*

The President of the United States to the Honorable the Judge of the District Court of the United States for the Western District of Texas, greeting:

Because, in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said District Court before you between the United States, who are the plaintiffs, and Jeremiah Y. Dashiell and Isaiah A. Paschal, who are the defendants, a manifest error hath happened, to the great damage of the said United States, as by their complaint appears.

We being willing that error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that, under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you have the same at Washington on the first Monday of December next, in the said Supreme Court, to be then and there held; that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein to correct that error, what of right and according to the laws and custom of the United States should be done.

Witness the Honorable Roger B. Taney, Chief Justice of the said Supreme Court, the first day of September, in the year of our Lord one thousand eight hundred and sixty.

Allowed by THO. H. DUVAL,
U. S. District Judge.

Teste: Matthew Hopkins, Clerk of the District Court of the United States for the Western District of Texas, at Austin, and seal of court, this first day of September, A.D. 1860, at Austin, in said Western District of Texas.

[SEAL.] MATTHEW HOPKINS,
Clerk.

And on the same day, to wit, September the first, A.D. 1860, citation in error to the defendants in error, Jeremiah Y. Dashiell and Isaiah A. Paschal, issued from the office of the clerk of said court which citation is indorsed, to wit:

Supreme Court of the United. The United States, plaintiffs in error, *v.* Jeremiah Y. Dashiell and Isaiah A. Paschal, defendants in error. Citation in error. Issued Sept. 1, 1860. Matthew Hopkins, clerk.

And which citation is in words to wit:

The United States of America.

To Jeremiah Y. Dashiell and Isaiah A. Paschal, or their attorneys of record, George W. Paschal, Esq.

You are hereby cited and admonished to be and appear at a Supreme Court of the United States, to be holden at Washington, on the first Monday of December next, pursuant to a writ of error, filed in the clerk's office of the District Court of the United States for the Western District of Texas, at Austin; wherein the United States are plaintiffs in error, and you, Jeremiah Y. Dashiell and Isaiah A. Paschal, are defendants in error, to show cause, if any there be, why the judgment rendered against the said plaintiff in error, as in the said writ of error mentioned, should not be corrected, and why speedy justice should not be done to the parties in that behalf.

Witness the Honorable Thomas H. Duval, Judge of the District Court of the United States for the Western District of Texas, this first day of September, in the year of our Lord one thousand eight hundred and sixty.

THO. H. DUVAL,
U. S. District Judge.

In testimony whereof, I have hereunto set my hand and the impress of the seal of court, at Austin, this first day of September, A.D. 1860.

MATTHEW HOPKINS,
Clerk.

The marshal's return, under oath, is indorsed thereon in words to wit:

On this fifth day of September, A.D. 1860, personally appeared before me, a notary public, the subscriber, and makes oath that he delivered a true copy of the within citation in error to Jeremiah Y. Dashiell, and also a true copy of same to Isaiah A. Paschal, the defendants in error therein named.

WM. C. YOUNG,
U. S. Marshal W. D. of Texas.
By SAML. NEWTON,
Deputy.

Sworn to and subscribed before me, the day and year aforesaid. Witness my hand and official seal.

[SEAL.]
C. E. JEFFERSON,
Not. Pub. B. C. Texas.

Mileage, 85 miles, 6, ...	$5 10
Service, 2 copies, $2 00, ...	4 00
	$9 10

WM. C. YOUNG,
U. S. Marshal W. D. Texas.
By SAML. NEWTON,
Deputy.

United States District Court for the Western District of Texas, at Austin holding sessions.

I, Matthew Hopkins, Clerk of the District Court of the United States for the Western District of Texas, at Austin, hereby certify that the foregoing numbered pages, numbered from one to one hundred and twenty-seven, together with the copy of treasury transcript, marked "B," of Exhibit "B." of defendant's bill of exceptions, and numbered arbitrarily by defendants from one to fifty-four, for reference, and hereto attached under the seal of the court, contain a full, true, and correct transcript of all the proceedings had, being a complete transcript of the record in the case of the United States *v.* J. Y. Dashiell and Isaiah A. Paschal, numbered 523 of the law dockets of this court.

In testimony whereof I have hereunto set my hand and the impress of the seal of the court, at Austin, this thirtieth day of September, A.D. 1860.

MATTHEW HOPKINS,
Clerk.

"*B.*" *Exhibit* "*B.*" *of Defendants' Bill of Exceptions.*

The United States in account current with Major J. Y. Dashiell, Paymaster in U. S. Army, under bond dated 20th March, 1855.

Dr.

1855.			
May	31.	For amount expended as per abstract and vouchers herewith in paying the troops, since the 19th day of March, 1855, the of last account rendered, . . .	$23,722 06
"	"	Treasury certificate, No. 19,621, . .	39 00
"	"	" " " 19,406, . .	83 05
"	"	Turned over to Major J. R. Hagner, Paymaster United States Army, . . .	100 00
"	"	Turned over to Major H. Hill, Paymaster United States Army, ...	155 74
"	"	Turned over to Major St. Clair Denny, Paymaster United States Army, . . .	585 26
"	"	To balance due the United States, to be accounted for in next account, . . .	3,228 44
			$27,913 55

Cr.

1855.			
April	27.	Received from the treasurer, . . .	$25,000 00
"	23.	" of Major B. Brice, Paymaster, United States Army, ...	25 00
May	1.	Received of Sergeant D. Johnson, over payment of Major Ringgold, Dec. 1, 1854, .	90
"	2.	Received of Major D. Hunter, Paymaster,	220 00
"	11.	" " " .	405 00
"	11.	" " " .	250 00
"	11.	" " " .	865 00
"	14.	" " " .	615 00
"	14.	" " " .	347 00
"	14.	" St. Clair Denny, " .	175 00
"	14.	" Lieut. L. O. Morris, 1st artillery, for disallowances in the 2d auditor's office, for commutation of quarter from Dec. 1, 1853, to Feb. 20, 1854, .	10 65
			$27,913 55

Stated at Fort Moultrie, in the State of South Carolina, this eleventh day of June, 1855.

J. Y. DASHIELL,
Paymaster U. S. Army.

Pay Dept. U. S. Army, Fort Moultrie, S. C., April 23, 1855.

Received of Major B. W. Brice, paymaster U. S. army, twenty-five dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Moultrie, S. C., May 2d, 1855.

Received of Major D. Hunter, paymaster U. S. army, one hundred dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, one hundred dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, seventy-five dollars cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, ninety dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, one hundred dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, twenty dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, twenty dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, seventy dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, thirty dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, thirty-five dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, thirty dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, twenty-five dollars and cents, on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, forty-five dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11, 1855.

Received of Major D. Hunter, paymaster U. S. army, five dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 11th, 1855.

Received of Major D. Hunter, paymaster U. S. army, five hundred and fifty dollars and cents, being on account of which sum I have passed to the credit of the United States, and for which I hold myself accountable to the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 14th, 1855.

Received of Major D. Hunter, paymaster U. S. army, fifty dollars, being on account of "pay, &c., of the army," which sum I have passed to to the credit of the United States, and hold myself accountable at the treasury.

$50. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 14, 1855.

Received of Major D. Hunter, paymaster U. S. army, three hundred dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May 14, 1855.

Received of Major D. Hnnter, paymaster U. S. army, forty dollars, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and hold myself accountable at the treasury.

$40. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Dallas, E. Florida, May, 14, 1855.

Received of Major D. Hunter, paymaster U. S. army, two hundred dollars, on account of "pay, &c., of the army," for which I am accountable at the treasury.

$200. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dpt. U. S. Army, Fort Dallas, E. Florida, May 14, 1855.

Received of Major D. Hunter, paymaster U. S. army, four hundred dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dpt. U. S. A., Fort Dallas, E. Florida, May 14, 1855.

Received of Major D. Hunter, paymaster U. S. army, one hundred and fifty dollars on account of "pay, &c., of the army," which I have passed to the credit of the United States, and hold myself accountable at the treasury.

$150. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dpt. U. S. A., Fort Dallas, East Florida, May 14, 1855.

Received of Major D. Hunter, paymaster U. S. army, forty-two dollars, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I am accountable at the treasury.

$42. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dpt., Fort Dallas, East Florida, May 15, 1855.

Received of Major D. Hunter, paymaster U. S. army, fifty-five dollars, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I am accountable at the treasury.

$55. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. A., Fort Dallas, East Florida, May 15, 1855.

Received of Major D. Hunter, paymaster U. S. army, one hundred dollars, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I am accountable at the treasury.

$100. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Department, Fort Dallas, East Florida, May 15, 1855.

Received of Major D. Hunter, paymaster U. S. army, one hundred dollars, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I am accountable at the treasury.

$100. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Moultrie, S. C., May 29, 1855.

Received of Major D. Hunter, paymaster U. S. army, forty dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Moultrie, S. C., May 29th, 1855.

Received of Major D. Hunter, paymaster U. S. army, twenty-two dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Moultrie, S. C., May 29, 1855.

Received of Major D. Hunter, paymaster U. S. army, eighty dollars and cents, being on accouut of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates hereof) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Dept. U. S. Army, Fort Moultrie, S. C., June 15, 1855.

Received of Major D. Hunter, paymaster U. S. army, twelve dollars and fifty cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicates) J. Y. DASHIELL,
P. M. U. S. Army.

Pay Department, Fort Dallas, E. Florida, May 14, 1855.

Received of Major St. Clair Denny, paymaster U. S. army, fifty dollars on account of "pay, &c., of the army," for which sum I am accountable at the treasury.

$50. J. Y. DASHIELL,
P. M. U. S. Army.

Pay Department U. S. A., Fort Dallas, East Florida, May 14, 1855.

Received of Major St. Clair Denny, paymaster U. S. army, one hundred and twenty-five dollars, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

$125. J. Y. DASHIELL,
P. M. U. S. Army.

Received of Lieut. L. O. Morris, 1st artillery, ten dollars sixty cents, being on account of disallowance in 2d auditor's office, for commutation of quarter, from 1st Dec., 1853 to 20th Feb. 1854.

$10 65. J. Y. DASHIELL,
P. M. U. S. Army.

FORT DALLAS, E. FLORIDA, May 14, 1855.

FORT MOULTRIE, S. C., April 28, 1855.

SIR:

I am in receipt of your communication of the 24th inst. In reply, I have to acknowledge receipt of draft No. 8481, requisition No. 5037, for twenty-five thousand dollars on the 27th inst.

Very respectfully your obedient servant,
J. Y. DASHIELL,
P. M. U. S. Army.

To P. CLAYTON, Esq.,
2d Auditor, Treasury Dept., Washington, D. C.

FORT MOULTRIE, S. C., Aug. 30, 1855.

SIR:

I have this day received from the U. S. Treasurer a warrant for one thousand dollars issued in my favor.

Very respectfully your obedient servant,
J. Y. DASHIELL,
P. M. U. S. Army.

To P. CLAYTON, Esq.,
2d Auditor, Treasury Dept., Washington, D. C.

FORT MOULTRIE, S. C., Nov. 11th, 1855.

SIR:

I have this day received a warrant from the Treasurer of the

United States on the assistant Treasurer U. S., at Charleston, for the sum of nine thousand dollars.

Very respectfully your obedient servant,

J. Y. DASHIELL,
P. M. U. S. Army.

To P. Clayton, Esq.,
2d Auditor, Treasury Dept., Washington, D. C.

Fort Moultrie, S. C., Dec. 30, 1855.

Sir:

I have this day received the treasury draft, payable to my order by the assistant treasurer U. S. at Charleston, and number as follows, No. 7201, for the sum of $10,000.

Very respectfully your obedient servant,

J. Y. DASHIELL,
P. M. U. S. Army.

To P. Clayton, Esq.,
2d Auditor, Treasury Dept., Washington, D. C.

Fort Moultrie, S. C., Feb. 20, 1856.

Sir:

In compliance with your request, I hereby acknowledge receipt of treasury draft No. 243, dated Feb. 16th, 1856, for ten thousand dollars.

Respectfully your obedient servant,

J. Y. DASHIELL,
P. M. U. S. Army.

To P. Clayton, Esq.,
2d Auditor, Treasury Dept., Washington, D. C.

Fort Moultrie, S. C., June 17, 1856.

Sir:

I have to acknowledge the receipt of a treasury draft, No. 834, for the sum of five thousand dollars, addressed to the assistant treasurer, New York, but as the numbers of the draft and warrant agreed those furnished by his advice from Washington, Mr. Presley, the assistant Treasurer U. S., Charleston, was courteous enough to place the amount to my credit on his books.

Very respectfully your obedient servant,

J. Y. DASHIELL,
P. M. U. S. Army.

To P. Clayton, Esq.,
2d Auditor, Treasury Dept., Washington, D. C.

Fort Moultrie, S. C., April 11, 1856.

Sir:

I have this day received from the Treasurer of the United States, draft No. 514, for the sum of seventeen thousand dollars on the assistant treasurer, Charleston, S. C.

Very respectfully your obedient servant,

J. Y. DASHIELL,
P. M. U. S. Army.

To P. Clayton, Esq.,
2d Auditor, Treasury Dept., Washington, D. C.

Received at Fort Moultrie, S. C., this thirteenth day of April, 1857, of the Treasurer U. S., draft No. 2733, war warrant No. 813, the sum of twenty-six thousand dollars, on account of pay, &c., of the army of the United States, as follows:

Pay,	$18,000 00
Subsistence,	7,000 00
Forage,	600 00
Clothing,	400 00
	$26,000 00

For which sum I am accountable.

J. Y. DASHIELL,
P. M. U. S. Army.

Fort Moultrie, S. C., Dec. 29, 1857.

Sir:

In compliance with your request, I acknowledge the receipt of treasury draft for twelve thousand dollars, specified in your communication of 28th Nov. last.

Very respectfully your obedient servant,

J. Y. DASHIELL,
P. M. U. S. Army.

To T. J. D. Fuller,
2d Auditor, Treasury Dept., Washington, D. C.

Pay Dept. U. S. Army, Fort Moultrie, S. C., June 14, 1855.

Received of Major Lloyd J. Beall, Paymaster U. S. Army, ten dollars and cents, being on account of "pay, &c., of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the Treasury.

(Signed duplicate hereof) J. Y. DASHIELL,
P. M. U. S. Army.

The United States in account current with Major J. Y. Dashiell, Paymaster in the Army of the United States, under bond, dated 20th March, 1855.

Dr.

1855.			
July 31.	For amount expended, as per abstracts and vouchers herewith, in paying the troops since the 31st day of May, 1855, the date of last account rendered, . . .	$16,171	00
April 27.	Turned over to Major L. J. Beall, P. M. U. S. A., ...	3	00
	To balance due the United States, to be accounted for in next account, . . .	10,407	50
		$26,582	05

Cr.

1855.			
May 31.	By balance to be accounted for as stated in last account, ...	$3,228	44
June 14.	Received of Major Lloyd J. Beall, P. M. U. S. A., ...	10	00
" 15.	Received of Major D. Hunter, . .	12	50
" 21.	Treasurer U. S., at New York, . .	8,000	00
" 23.	Treasurer U. S., at Charleston, S. C., .	15,000	00
July 31.	Ord. Sergt. Henry Douglass, on acct. 2d Auditor, ...		06
	Drafts drawn on Col. Coffee, P. M. (Sept.), '53, short extended in account current, .	200	00
	L. B. Wood, 1 Lt. and Capt. 8 Infantry, disallowed Brt. pay asst., Oct. and Nov., '53, ...	46	00
	Abstract, Oct. and Nov., '53, Thos. J. Burton, dis. private, overpaid, ...	1	49
	Abstract "A.," April, '54, voucher No. 51, W. Prescott, Sergt., was overpaid, .	3	35
	Abstract "A.," April, '54, voucher 86, Co. "H." M. A., overadded in addition of roll, ...	7	50
	Abstract, July and Aug., '54, 58, Co. "E.," 1 In'y, overadded by including pay of R. Dryas, ...	7	22
	Abstract, July and Aug., '54, 63, Co. "K.," roll overadded, ...	33	50
	1 Feb. to 19 March, '55, vo. 26, Co. "N.," 1 Art'y, overadded, ...	9	99
	Drafts drawn on Major D. Hunter, P. M., May 29, '55, short extended, . .	22	00
		$26,582	05

1907

Stated at Fort Moultrie, in the State of South Carolina, the sixth day of August, 1855.

J. Y. DASHIELL,
P. M. U. S. Army.

The United States in account current with J. Y. Dashiell, Paymaster in the Army of the United States.

1855.	Dr.		
Oct. 31.	For amount expended, as per abstract and vouchers herewith, in paying the troops since the 31st day of July, 1855, the date of last account rendered. . . .	$22,768	39
Sept. 19.	Turned over to Major J. R. Hagner, P. M. U. S. A., ...	3	00
	To balance due the United States, to be accounted for in next account, . . .	3,700	17
		$26,471	56
1855.	Cr.		
July 31.	By balance to be accounted for as stated in last account, ...	$10,407	50
Aug. 12.	Received from Treasurer U. S., . .	15,000	00
" 30.	" " " " . .	1,000	00
	By received difference between the pay of J. Allery and E. J. Allen's settlement, 4 Sept., '52, voucher No. 167, . .	5	39
	By received from John Bearnish, overpaid vo. No. 85, setl. 6 Mar. '55, . .	3	00
	By received from G. R. Dashiell, Clk. P. D., overpaid vo. No. 16, abst. 1 Sept., '54, 31 January, '55, ...		32
	By received from T. Williams, overpaid vo. No. 68, abst. 1 Sept., '54, 31 Jan., '55, .		30
	By received from J. Maloney, dec'd, overpaid laundress, vo. No. 68, abst. 1 Sept., '54, 31 Jan., '55, ...		84
" 7.	By received from Lt. H. W. Slocum, proceeds of effects of private Fo. Schal, dec'd, late Co. "H.," 5 Art'y, . . .	4	21
Sept. 10.	By received from Brt. Maj. J. A. Haskin, part of effects of Patrick Tracy, dec'd, late of Co. "D.," 5 Art'y, . . .	50	00
		$26,471	56

Stated at Fort Moultrie, in the State of South Carolina, this second day of November, 1855.

J. Y. DASHIELL,
P. M. U. S. Army.

The United States in account current with J. Y. Dashiell, paymaster in the army of the United States, under bond 20th March, 1855.

Dr.

1855.		
Nov. 30.	For amounts expended as per abstract and vouchers herewith, in paying the troops since the 31st day of October, 1855, the date of last account rendered,	$6,738 49
" "	For amount of suspensions under my bond which expired March 5 '53, improperly credited in my account current, dated 6 August, 1855,	309 05
	Account current dated 2d November, 1855,	9 85
	To balance due the United States, to be accounted for in next account,	5,642 78
		$12,700 17

Cr.

1855.		
Oct. 31.	By balance to be accounted for as stated in last account,	$3,700 17
	Received from Treasurer U. S.,	9,000 00
		$12,700 00

Stated at Fort Moultre in the State of South Carolina, this fifth day of December, 1855.

J. Y. DASHIELL,
P. M. U. S. Army, Paymaster.

Pay Dept. U. S. Army, Key West Barracks, E. F., January 7, 1856.

Received of Major Hiram Leonard, paymaster U. S. army, seven thousand one hundred seventy-eight dollars and cents, being on account of "pay &c. of the army," viz.: it being for the payment of the garrison at Fort Dallas, for the month of September and October, 1855, which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicate hereof) J. Y. DASHIELL,
P. M. U. S. Army.

1909

The United States in account current with Major J. Y. Dashiell, paymaster in the army of the United Sates, under bond.

Dr.

1856. 31 Jan'y.	For amount expended as per abstract and vouchers herewith, in paying the troops since the 30th day of November, 1855, the date of the last account rendered, . .	$17,067 21
	To balance due the United States, to be accounted for in next account, . .	10,840 60
		$27,913 86

Cr.

1856. 30 Nov.	By balance to be accounted for as stated in last account, ...	$5,642 78
1 Jan'y.	Received from Treasurer United States, .	15,000 00
1855. 28 Dec.	" " John M. Galt, M. S. K., proceeds of sale of camp bedsteads, . .	36 28
31 "	Received from Lt. H. W. Slocum, 1 art'y, . amount appropriated to mil. asylum, .	63
1856. 12 Jan'y.	Received from Capt. B. H. Hill, the proceeds of effects of private Wm. F. Scott, dec'd, late of company "M," 1st art'y, . .	2 80
" "	Received from Capt. B. H. Hill, proceeds of effects of private Thomas P. Murray, dec'd, late of company "M," 1st art'y, . .	7 90
13 "	Received from Lt. D. C. Morris, amounts appropriated to mil. asylum, . . .	5 00
7 "	Received from Major Hiram Leonard, paymaster U. S. A., on account of pay of the army, ...	7,178 00
" "	Received from private Tilden, company "A," 1st art'y, overpaid, No. 52 abst., 31 May, '55, ...	80
" "	Received from private Molder, company "A," 1st art'y, overpaid, No. 52 abst., 31 May, '55, ...	38
" "	Received from Corporal Crawford, company "L," 1st art'y, overpaid, No. 55 abst., 31 May, '55, ...	28
" "	Received from private Helen Kemple, company "M," art'y, overpaid, No. 56 abst., 31 May, '55, ...	3 00

7 Jan'y.	Received from private M. Barrett, company "A," art'y, overpaid, No. 53 abst., 31 Oct. '55, ...	1	00
" "	Received from private J. Havenagh, company "A," art'y, overpaid one day's pay, No. 53 abst., 31 Oct., '55, . . .		33
" "	Received from private W. Marion, company "A," art'y, overpaid one day's pay, No. 53 abst., 31 Oct., '55, ...	1	00
" "	Received from G. Lindsay, armorer and acting sergeant, overpaid $6 per m., vo. 60 abst., 31 Oct., '55, ...	12	00
" "	Received from company "D," 1st art'y, pay of J. Smith, not receipted for, included and overadded 20cts., vo. 60 abst., 31 Oct., '55, ...	19	70
" "	Received from private W. M. Cormick, of company "H," 1st art'y, overpaid 6 days vo. 41, 31 July, '55, ...	1	98
		$27,913	86

Stated at Fort Moultrie in the State of South Carolina, eighth day of February, 1856.

J. Y. DASHIELL,
P. M. U. S. Army, Paymaster.

Pay Dept. U. S. Army, Fort Dallas, E. F., March 13th, 1856.

Received of Major Hiram Leonard, paymaster U. S. army, sixty dollars and cents, being in account of "pay &c. of the army," which sum I have passed to the credit of the United States, and for which I hold myself accountable at the treasury.

(Signed duplicate hereof) J. Y. DASHIELL,
P. M. U. S. Army.

The United States, in account current with Major J. Y. Dashiell, Paymaster in the Army of the United States, under bond of 19th March, 1855.

1856.	Dr.		
31 March.	For amounts expended, as per abstract and vouchers herewith, in paying the troops since the 31st day of January, 1856, the date of last account rendered, . . .	$13,505	46
13 "	Turned over to Major J. K. Hayner, Paymaster U. S. A., ...	10	00
	To balance due the United States, to be accounted for in next account, ...	7,532	71
		$21,048	17

Cr.

1856.		
31 Jan'y.	By balance, to be accounted for as stated in last account, ...	$10,846 60
20 Feb'y.	Received from Treasurer U. S., . . .	10,000 00
11 March.	Received from Major Hiram Leonard, paymaster U. S. A., ...	60 00
29 "	Received from J. A. Haskin, capt. 1st art'y, proceeds of effects of Wm. McLaughlin, dec'd, late Co. "D," 1st art'y, . .	15 95
" "	Received from J. A. Haskin, capt. 1st art'y, proceeds of effects of Edward Walsh, dec'd, late Comp. "D," 1st art'y, . .	33 60
" "	Received from J. A. Haskin, capt. 1st art'y, proceeds of effects of Hiram Monk, dec'd, late Comp. "D," 1st art'y, ...	89 25
" "	Received from Bt. Lt. Col. J. H. Winder, overpaid voucher, 19 Jan., 1856, . .	1 77
" "	Received from Private J. Tracy, overpaid voucher 49, Jan'y, 1856, . . .	1 00
		$21,048 17

Stated at Fort Moultrie, in the State of South Carolina, this thirty-first day of March, 1856.

J. Y. DASHIELL,
P. M. U. S. Army, Paymaster.

J. Y. Dashiell, Paymaster, in account with the United States.

Dr.

1855.		
April 24.	To Requisition No. 5037, ...	$25,000 00
June 16.	" " " 5235, ...	15,000 00
"	" " " 5236, ...	8,000 00
Aug. 15.	" " " 5491, ...	15,000 00
Dec. 22.	" " " 5881, ...	5,000 00
"	" " " 5882, ...	10,000 00
Nov. 5,	" " " 5738, ...	9,000 00
1856.		
Feb. 12.	" " " 6080, ...	10,000 00
April 5,	" " " 6234, ...	5,000 00
" "	" " " 6235, ...	17,000 00

" 24. " D. Hunter, Paymaster.

1856.		
May 2.	Received of him, ...	$100 00
11.	Received of him, $100, $75, $90,	

	$100, $20, $30, $70, $30, $35, $30, $25, $45, $250,	895 00	
May 14.	Received of him, $50, $300, $40, $200, $400, $150, $42,	1,182 00	
15.	Received of him, $55, $100, $100,	255 00	
29.	“ “ “ $40, $22, $80,	142 00	
June 15.	“ “ “	12 50	
			$2,586 50
	To B. W. Brice, Paymaster. Rec'd of him, 23 April, '55,		25 00
	To G. H. Ringgold, paymaster. For amt. rec'd by paymaster Dashiell, from Sergt. D. Johnson, May 1, '55, for an overpayment made to him by P. M. Ringgold,		90
	To D. Hunter, paymaster. Rec'd of him, 11 May, '55,		150 00
	To St. Clair Denny, paymaster. Rec'd of him, 14 May, '55, $50, $125,		175 00
	To S. J. Beall, paymaster. Rec'd of him, 14 June, '55,		10 00
	To H. Leonard, paymaster. Rec'd of him, 7 January, '56,		7,178 00
	Carried forward,		$129,125 40

Cr.

1855.			
Sept. 21.	By J. R. Hagner, paymaster. Transfer'd to him, 7 Feb'y, '55,		100 00
Nov. 30.	By H. Hill, paymaster. Transferred to him, 14 May, '55,		155 74
1856.			
Jan'y 26.	By B. W. Brice, paymaster. Transferred to him, 8 Aug., '55,		28 00
	By St. Clair Denny, paymaster. Transferred to him, 26 Jan'y, '55,		585 26
	By L. J. Beall, paymaster. Transferred to him, 27 April, '55,		3 55
	By J. R. Hagner, paymaster. Transferred to him, 19 Sept., '55,	$10 00	
	7 Feb'y, “	3 00	
			13 00
	Carried forward,		$885 55

1913

J. Y. Dashiell, Paymaster, in account with the United States.

Dr.

To amount brought forward, ...	$129,125	40
" Appropriation		
for amount received from lt. H. W. Slocum, Aug. 7, '55, for proceds of effects of F. Short, private, Co. "H." 1st artillery, . . .	4	21
" for do. do. br. maj. J. A. Haskin, Sept. 10, 55, for proceeds do. of P. Tracy, privt. Co. "D." 1st artillery, ...	50	00
" for do. do. capt. B. N. Hill, 12 Jan., '56, for do. of T. P. Muny, priv. Co. "M." 1st artillery,	7	90
" for do. do. from do. 12 Jan., '56, for proceeds of do. W. F. Scott, privt. Co. "M." 1st artillery,	2	80
" for amount received from lt. L. O. Morris, 13 Jan., '56, for amt. appropriated to mil. asylum,	5	00
" for do. of lt. H. W. Slocum, 31 Dec., 55, amt. appropriated to mil. asylum, ...		63
" for amount received of capt. J. A. Haskin, 29 March, '56, for proceeds of effects of E. Walsh, Co. "D." 1st artillery, ...	33	60
" for do. do. do. proceeds of effects of William McLaughlin, of Co. "D." 1st artillery, . .	15	95
" for do. do. do. proceeds of do. H. Monk, Co. "D." 1st artillery, ...	89	25
Carried forward, . .	$129,334	74

Cr.

By amount brought forward, ...	$885	55
" Appropriation,		
for amount of suspensions now admitted on vous. 126, 127, and 32, charged in sett. of paymaster Dashiell's account, 19 June, '50, refunded by lt. Thos. J. Wood, 2 drags. to paymaster Johnston (who was charged to appropriation 7th Jan., 1851), paid over to paymr. Brice, by Dashiell, November 8, 1854, . .	10	41
" for amount disbursed by him from 6 March, 1855, per general abst. of disbursements, . .	99,508	23
Carried forward, . .	$100,404	19

J. Y. Dashiell, Paymaster, in account with the United States.

Dr.

1855.		
	To amount brought forward,	$129,334 74
Aug. 30.	" H. Douglass, ord. sergt. received of him, 31st July, '55,	06
" 22.	" Requisition 5506,	1,000 00
1856.		
Jan. 7.	" J. M. Galt, mil. E. K. rec'd of him, doct., '55,	36 28
"	" L. O. Morris, lt. 1st artillery, received of him, 14 May, '55,	10 65
		$130,381 73
	To balance due the United States per contra,	$29,977 54

Cr.

By amount brought forward,	$100,404 19
" balance due the United States carried down,	29,977 54
	$130,381 73

Treasury Department, Second Auditor's Office, May 22d, 1856.
G. W. MERCER.

Second Comptroller's Office, July 8th, 1856.
W. H. EVANS.

6749.

Treasury Department, Second Auditor's Office, May 22d, 1856.

No. 3956.

I certify that I have examined and adjusted the account of J. Y. Dashiell, paymaster, and find that he is charged and chargeable as follows:

1855.		
April 24.	To requisition No. 5037,	$25,000 00
June 16.	" " " 5235,	15,000 00
"	" " " 5236,	8,000 00
Aug. 15.	" " " 5491,	15,000 00
Nov. 5.	" " " 5738,	9,000 00
Decr. 22.	" " " 5881,	5,000 00
Aug. 22.	" " " 5505,	1,000 00
" 30.	" H. Douglass, ord. sergt. received of him, 31 July, '55,	06
Decr. 22.	" requisition No. 2882,	10,000 00

1856.			
Jan. 7.	To Jos. M. Galt, mil. S. K., received of him, in Dec., '55, ...		36 28
Feb. 12.	" requisition No. 6080, . . .		10,000 00
April 5.	" " " 6234, . . .		5,000 00
" "	" " " 6235, . . .		17,000 00
" 24.	" D. Hunter, paymr. recd of him, May 2, 1855, . . .	$100 00	
	" Do. do. May 11, '55, $100, $75, $90, $100, $20, $20 $70, $30, $35, $30, $25, $45, $5, $250, .	895 00	
	" Do. do. May 14, '55, $50, $300, $40, $200, $400, $150, $42, .	1,182 00	
	" Do. do. May, 15, '55, $55, $100, $100, ...	255 00	
	" Do. do. May 29, '55, $40, $22, $80, ...	142 00	
	" Do. do. June 15, '55, . .	12 00	
			2,586 50
	" L. O. Morris, lt. 1st artillery, received of him, 14 May, '55, ...		10 65
	" B. W. Brice, paymr., received of him, 23 April, '55, ...		25 00
	" G. H. Ringgold, paymr., for amount received by paymr. Dashiell, from sergt. D. Johnson, May 1, 1855, . . .		90
	" D. Hunter received of him, 11 May, '55,		150 00
	" St. Clair Denny, paymr., received of him, 14 May, '55, $50, $125, . . .		175 00
	" L. J. Beall, paymr., received of him 14 June, '55, ...		10 00
	" H. Leonard, paymr., received of him, 7 Jan., 1856, ...		7,178 00
	" appropriation, for amount received of lt. N. W. Slocum, 7 Aug., '55, for proceeds and effects of F. Schort, private, Co. " H." 1st art'y,		4 21
	Carried forward, . .		$130,176 60

Amount brought forward, .	$130,176 60
To Appropriation: for am't rec'd from Brev. Major J. A. Haskin, 10 Sept. for proceeds of effects of P. Tracy, private comp'y "D," 1 art'y, ...	50 00

To Appropriation:	
" for do. do. from Capt. B. H. Hill, 12 Jan. '56, for proceeds of effects of T. P. Merry, priv. comp'y "M," 1 art'y,	7 90
" for do. do. from do. for do. of W. F. Scott, private comp'y "M," 1 art'y,	2 80
" for do. do. from Lt. W. O. Morris, 13 Jan. '56, am't appropriated to military asylum, ...	5 00
" for do. do. from Lt. H. W. Slocum, 31 Dec. '55, am't appropriated to military asylum, ...	63
" for do. do. from J. A. Haskin, 29 Mar. '56, for proceeds of effects of E. Walsh, comp'y "D," 1 art'y, .	33 60
" for do. do. from do. for proceeds of do. from Wm. McLaughlin, comp'y "D," 1 art'y, ...	15 95
" for do. do. from do. for proceeds of do. of H. Monk, comp'y "D," 1 art'y, .	89 25
	$130,381 73

	And is credited, and entitled to credit, as follows:	
1855.		
Sept. 21.	By J. R. Hagner, paymaster, transferred to him, 7 Feb. '55, .	$100 00
Nov. 30.	" H. Hill, paymaster, transferred to him, 14 May, '55, ...	155 74
1856.		
Jan'y 26.	" B. W. Brice, paymaster, transferred to him, 8th Aug. '55, . . .	28 00
	" St. Clair Denny, payms'r, transferred to him, 26 Jan. '55, . . .	585 26
	" L. J. Beall, paymaster, transferred to him, 27 April, '55, . . .	3 55
	" J. R. Hagner, paymaster, transferred to him, 19 Sept. '55, and 7 Feb. '55,	13 00
	By Appropriation:	
	for am't disbursed by him, from 6 March, '55, to 31 March, '56, for gen'l abst. of disb'ts, . .	99,508 23

By Appropriation:			
" for am't of suspensions (now admitted) on vos. 126, 127, and 32, charged in settl't of paymaster Dashiell's acc't, 19 June, '50, ref'ded by Lt. Thos. J. Wood, 2d dragoons, to paymaster Johnston (who was charged to appropriation, 7 Jan. '51), paid over to paymaster Brice by Dashiell, Nov. 8, '54,		10 41	
			100,404 19
Leaving an aggregate balance due the United States of .			$29,977 54
under the following appropriations:			
Due the United States.			
Forward, . . .			
Pay of the army, ...		$13,350 64	
Subsistence, ...		14,650 89	
Forage, ...		1,054 40	
Pay in lieu of clo. off serts., . .		780 11	
Raising 4 additional regiments, .		1,180 91	
Expenses of recruiting, . . .		4 65	
		$31,021 60	
Due the paymaster:			
Clothing of the army, .	$833 06		
Three months' extra pay,	114 00		
Relief of certain Tenn. volunteer's acct., 7 Aug. 1848, ...	83 05		
Pay of volunteers, . .	13 95		
		$1,044 06	
			$29,997 54

A regiment to be issued in his favor for creditor, balance to be covered by counter req'n, $465, on acc't expenses recruiting, and $1,039 41 on account of raising four additional regiments, as appears from the statements and vouchers herewith transmitted for the decision of the second controller of the treasury thereon.

P. CLAYTON,
Second Auditor.

To the Second Comptroller of the Treasury:

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above, this 8th day of July, 1856.

J. M. BRODHEAD,
Second Comptroller.

Under bond of 19 March, 1855.

The United States in account current with Major J. Y. Dashiell, Paymaster in the Army of the United States.

Dr.

1856.		
31 May.	For am't expended as per abstract vouchers herewith, in paying the troops, since the 31 day of March, 1856, the date of last account rendered, ...	$14,159 12
9 Ap'l.	Turned over to Major B. W. Brice, paymaster U. S. Army, ...	28 00
	Turned over short payment to Ord. Sergt., Edwin Burt, vou. 56 abstract, 31 Dec. '55,	10 00
	To balance due the United States, to be accounted for in next account, . . .	15,336 67
		$29,533 81

Cr.

1856.		
31 March.	By balance to be accounted for as stated in last account, ...	$7,532 71
11 April.	Received treasury drafts, assistant treas. at Charleston, ...	17,000 00
" "	Received treasury drafts, assistant treas. at New York, ...	5,000 00
23 April.	Received Lt. J. D. Bingham amount appropriated hospital fund Barrancas Barracks, Florida, ...	10
	Received Lt. J. D. Bingham am't appropriated post council fund, Barrancas Barracks Military Asylum, . . .	1 00
		$29,533 81

Stated at Fort Moultrie, in the State of South Carolina, this fourth day of June, 1856.

J. Y. DASHIELL,
Paymaster U. S. Army.

Under Bond of 19 March, 1855.

The United States, in account current with Major J. Y. Dashiell, Paymaster in the Army of the United States.

1856.	Dr.	
31 July.	For amount expended, as per abstract and vouchers herewith, in paying the troops, since the 31 day of May, 1856, the date of last account rendered, . . .	$15,634 99
	To balance due the United States, to be accounted for in next account, ...	6,029 70
		$21,664 69

1856.	Cr.	
31 May.	By balance to be accounted for, as stated in last account, ...	$15,336 69
16 June.	" draft on the assis't treas. at Charleston,	5,000 00
13 "	" amount placed to my credit with the assistant treasurer, New York, . .	1,000 00
18 July.	" amount received of Lt. L. O. Morris, proceeds of effects of J. Bohun, deceased, late comp'y L, 1st art'y, .	53 00
28 "	" Br. Lt. Col. J. H. Winder, effects of J. Nevin, dec'd, comp'y G, 1st art'y, .	265 00
29 "	" Ord'ly Sergt. Luke Walker, an overpayment by Major Ringgold to him 1 July, 30 Sept. 1854, . . .	10 00
		$21,664 69

Stated at Fort Moultrie, in the State of South Carolina, this thirty-first day of July, 1856.

J. Y. DASHIELL,
Paymaster U. S. Army.

Under Bond of March 19th, 1855.

The United States in account with Major J. Y. Dashiell, paymaster in the Army of the United States.

1856.	Dr.	
30th Sept.	For amount expended as per abstract and vouchers herewith in paying the troops since the 31st day of July, 1856, the date of last account rendered, . . .	$9,844 28
	To balance due the U. States, to be accounted for in next account, . . .	11,313 78
		$21,158 06

Cr.

1856.		
31st July.	By balance to be acconnted for as stated in last accounts, ...	$6,029 70
7th Aug.	" received from Treasurer U. S. draft on assistant treasurer at New York, .	5,000 00
9th Aug.	" received from Treasurer U. S. draft on assistant treasurer at Charleston, .	10,000 00
	" received from detach company A. 1st artillery, overadded, voucher 34 abstract March and April, '56, . .	43 60
	" received company D. 1st artillery, overadded, voucher 35 abstract March and April, '56, ...	84 76
		$21,158 06

Stated at Fort Moultrie, in the State of South Carolina, this thirtieth day of September, 1856.

J. Y. DASHIELL,
Paymaster U. S. Army.

Under Bond of 19th March, 1855.

The United States in account with Major J. Y. Dashiell, Paymaster in the Army of the U. States.

Dr.

1856.		
30th Nov.	For amount expended as per abstract and vouchers herewith in paying the troops since the 30th September, 1856, the date of last account rendered, . . .	$19,227 87
	To balance due the United States, to be accounted for in next account, . .	12,380 04
		$31,607 91

Cr.

1856.		
30th Sept.	By balance to be accounted for as stated in last account, ...	$11,313 78
11th Oct.	Received from Treasurer U. S. deposited assistant treasurer at New York, . .	5,000 00
14th "	Received from Treasurer U. S. deposited assistant treasurer at Charleston, . .	15,000 00
14th "	Received from Lieutenant L. O. Morris, overpayment from 1st Jan'y, '55, to 30th April, '55, ...	24 00

Received from J. Reed, private, company A. first artillery, overpaid and roll over-added, roll to 31st August, '55, . .	7	34
Received from A. W. Thompson, company D. first artillery, overpaid, roll Sept. and Oct., '55, ...		32
Received from S. M. Dalton, company L. first artillery, overpaid, roll March and April, 1855, ...	4	97
Received from company M. first artillery, pay of Sergeant H. Newman and private P. Donoghue, not receipted for, included in the roll from 1st Nov., '54 to 31st August, '55, ...	171	00
Received from company G. first artillery, pay of J. Nevin, private, not receipted for, included in the roll for July and August, '55, ...	19	50
Received from company A. engineers, pay of H. C. Smith and N. W. Walsh, not receipted for, is included in roll Jan'y and Feb'y, '56, ...	67	00
	$31,607	91

Stated at Fort Moultrie, in the State of South Carolina, this third day of December, 1856.

J. Y. DASHIELL,
Paymaster U. S. Army.

J. Y. Dashiell, Paymaster, in account with the United States.

Dr.

1856.				
July	8.	To balance on settlement, ...	$29,977	54
June	9.	" Requisition No. 6466, ...	5,000	00
"	9.	" " 6468, ...	1,000	00
April	4.	" " 6645, ...	5,000	00
"	4.	" " 6646, ...	10,000	00
Sept.	5.	" " 6749, ...	1,044	06
Oct.	6.	" " 6909, ...	5,000	00
"	6.	" " 6910, ...	15,000	00
Dec.	8.	" " 7117, ...	15,000	00
"	8.	" " 7118, ...	1,000	00
Nov.	24.	" H. Leonard, paymaster, for amount received of him 13th March, 1856, .	60	00

To appropriation for amount received of Lieutenant J. D. Bingham for Military Asylum, 23d April, 1856,	$1 10	
For proceeds of effects of Sergeant J. Bohan, late comp'y L. first artillery, received 18th July, 1856,	53 00	
For proceeds of effects of private J. Navin, late of comp'y G. first artillery, received 28th July, 1856,	265 00	
For amount received of ordnance, Sergeant Luke Walker, over payment to him by Paymaster Ringgold, to 30th Sept., '54, July 29th, '56,	10 00	
		329 10
		$88,410 70
To balance due United States,		$28,484 13

Cr.

1856.			
Sept. 8.	By requisition No. 6503,		$1,044 06
Oct. 7.	" N. Grant, Lieutenant, 13th July, for over payment on voucher 22, travelling subsistence suspended,		4 00
	" appropriation for amount paid E. Burt, ordnance sergeant, short paid on abstract for Dec., '55 and January, '56,	$10 00	
	For amount suspensions admitted as per abstract,	202 87	
	For amount disbursed by him from 1st April to 30th November, 1856,	58,665 64	
			58,878 51
	" balance,		28,484 13
			$88,410 70

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE, January 31st, 1857.

L. BEARD.

SECOND COMPTROLLER'S OFFICE, March 6th, 1857.

W. A. EVANS.

No. 4836.

Treasury Department, Second Auditor's Office,
January 31, 1857.

I certify that I have examined and adjusted the account of J. Y. Dashiell, paymaster, and find that he is charged and chargeable as follows:

1856.		
July 8.	To balance on settlement, . . .	$29,977 54
June 9.	" requisition No. 6466, . . .	5,000 00
	" " " 6468, . . .	1,000 00
Aug. 4.	" " " 6645, . . .	5,000 00
	" " " 6646, . . .	10,000 00
Oct. 6.	" " " 6909, . . .	5,000 00
	" " " 6910, . . .	15,000 00
Dec. 8.	" " " 7117, . . .	15,000 00
	" " " 7118, . . .	1,000 00
Nov. 24.	" H. Leonard, paymaster, for amt. recd. of him 13th March, 1856, . . .	60 00
	Appropriation.	
	For amt. recd. of Lt. J. D. Bingham for mil. asylum, 23d April, '56, . . .	1 10
	For amt. of effects of Sergt. J. Bohan, late of Co. L, 1 arty. received 18th July, 1856, ...	53 00
	For amt. of effects of private J. Nevin, late of Co. G, 1 arty., received 28th July, 1856, ...	265 00
	For amt. recd. of ordy. Sergt. Luke Walker, over-payment to him by paymaster Ringgold, July 29, '56, .	10 00
		$87,366 64

And is credited and entitled to credit, as follows:

1857.			
Oct. 7.	By N. Grant, Lt. 13 Inf., for overpay on vou. 22, travelling subs. suspend. .		$4 00
	" Appropriation.		
	For amt. paid E. Burt, ordl. sergt. for short payment on abst. for Dec. '55, and Jan. '56,	$10 00	
	For amt. of suspensions admitted, . . .	202 87	

For amt. disbursed by him from 1st April to 30th Nov. 1856,	$58,665 64	58,878 51	58,882 51
Leaving an aggregate balance due United States, of			$28,484 13
Under the following appropriations:			
Due the United States.			
Pay of the army, . . .		$10,576 86	
Subsistence of officers, .		15,793 51	
Carried forward, . .		26,370 37	28,484 13
Brought forward, . .		26,370 37	28,484 13
Forage, ...		951 20	
Pay in lieu of clothing offs. servants, ...		853 04	
Clothing of the army, .		418 40	
Raising 4 additional regiments,		141 50	
		$28,734 51	
Due paymaster.			
Three months' extra pay, ...	$87 00		
Pay of volunteers, .	103 12		
Preventing and supplying Indian nations, . .	60 26		
		250 38	$28,484 13

A requisition to be issued in his favor for creditor balance, to be covered by counter-requisition, on account of "pay of the army," as appears from the statement and vouchers herewith transmitted for the decision of the second comptroller of the treasury thereon.

P. CLAYTON,
Second Auditor.

To the Second Comptroller of the Treasury.

SECOND COMPTROLLER'S OFFICE.

I admit and certify the foregoing, this 6th day of March, 1857.

J. M. BROADHEAD,
Second Comptroller.

Account Current.

Disbursements under official bond, dated March 19th, 1855.

The United States in account current with Major J. Y. Dashiell, Paymaster in the Army of the United States.

Dr.

1857.			
Jany. 31.	For amount expended in paying the troops, from November 30, 1856, the date of last account rendered to January 31, 1857, as per abstract and vouchers herewith, .	$16,041	57
	Balance due the United States, to be rendered in next account, ...	12,338	47
		$28,380	04

Cr.

1856.			
Nov. 30.	By balance to be accounted for, as stated in last account current, of this date, . .	$12,380	04
Dec. 15.	Received from Treasurer United States, deposited at Charleston, ...	15,000	00
" 12.	Received from Treasurer United States, deposited at New York, ...	1,000	00
		$28,380	04

Stated at Fort Moultrie, S. C., this tenth day of February, 1857.

J. Y. DASHIELL,
Paymaster United States Army.

Account Current.

Disbursements under official bond, dated March 19th, 1855.

The United States in account current with Major J. Y. Dashiell, Paymaster in the Army ofthe United States.

Dr.

1857.			
March 31.	To amount expended in paying the troops from 31st January, 1857, the date of last account rendered, to 31st March, 1857, as per abstract and vouchers herewith, ...	$34,383	61
" 12.	Turned over to Major F. A. Cunningham, paymaster United States army, . .		40
	Balance due the United States, to be rendered in the next account, ...	22,116	66
		$56,500	67

Received, Fort Moultrie, S. C., Feb. 9th, 1857, of Lieut. J. D. Bingham, 2d artillery, nine dollars eighty cents, being the amount of disallowances in second auditor's office, for double rations overdrawn from July, 1855, to February, 1856.

$9 80. J. Y. DASHIELL,
Duplicate. Paymaster U. S. Army.

Cr.

1857.			
Jan'y.	31,	By balance to be accounted for, as stated in last account current of this date,	$2,388 47
Feb'y.	19,	Received from Treasurer U. S., deposited at New York, N. Y.,	5,000 00
"	21,	Received from Treasurer U. S., deposited at Charleston, S. C.,	23,000 00
"	9,	Received from Capt. A. Cummings, 16th infantry, disallowance, 2d auditor's office,	71 40
"	9,	Received from Lieut. J. D. Bingham, 2d artillery,	9 80
March	8,	Received from Bvt. Lt. Col. J. H. Winder, proceeds of effects of J. Neeffrom, deceased, late of company "G.," 1st artillery,	75
"	8,	Received from Bvt. Lt. Col. J. H. Winder, proceeds of effects of Richard Ryan, late of company "G.," 1st artillery,	6 15
"	28,	Received from Treasurer U. S., deposited at New York, N. Y.,	11,000 00
"	28,	Received from Treasurer U. S., deposited at New York, N. Y.,	5,000 00
"	11,	Received from Serg. M. Bucklin, overpaid abstract, October and November, 1856, voucher No. 51,	1 60
"	3,	Received from Capt. Mott, overpaid abstract, October and November, 1856, voucher No. 52,	1 00
		Received from company "A.," Eng. C. W. Foster, pay not receipted for, included in the roll, abstract June and July, 1856, No. 47,	71 50
			$56,500 67

Stated at Fort Moultrie, S. C., this third day of April, 1857.

J. Y. DASHIELL,
Paymaster U. S. Army.

Account Current.

Disbursements under official bond dated 19th March, 1855.

The United States in account current with Major J. Y. Dashiell, paymaster in the army of the United States.

Dr.

1857.				
May	31,	To amount expended in paying the troops from 31st March, 1857, the date of last account rendered, to 31st May, 1857, as per abstract and vouchers herewith,	$15,489	30
"	1,	Lost in Indian river bar, Fla., as per documents on file in the paymaster's general office, ...	23,115	00
		Balance due United States, to be rendered in next account, ...	9,518	51
			$48,122	81

Cr.

1857.				
March	31,	By balance to be accounted for, as stated in last account current of this date, .	$22,116	66
April	13,	Received from Treasurer U. S., deposited at Charleston, S. C., ...	26,000	00
May	17,	Received from D. Howley, company "A.," 1st artillery, overpaid, voucher No. 68, abstract February and March, 1857, .	3	32
"	17,	Received from Sergt. Jacobs, overpaid voucher No. 82, abstract February and March, 1857, ...	2	19
"	17,	Received from Prvts. J. Meagher and J. Rippett, overpaid voucher No. 82, abstract February and March, 1857, .		64
			$48,122	81

Stated at Fort Moultrie, S. C., this day of June, 1857.

J. Y. DASHIELL,
Paymaster U. S. Army.

J. Y. Dashiell, paymaster, in account with the United States.

Dr.

1857.				
March	6,	To balance, No. 4836,	$28,484	13
Feb'y.	21,	" A. Cumming, Lieut. 10th infantry, received of him, 9th Feb'y, 1857,	71	40
"	14,	To Requisition No. 7356,	23,000	00
"	"	" " " 7357,	5,000	00
March	6,	" " " 7424,	5,000	00
"	"	" " " 7425,	11,000	00
"	9,	" " " 7433,	250	38
April	7,	" " " 7528,	26,000	00
June	10,	" " " 7769,	20,000	00
"	11,	" " " 7774,	15,000	00
"	"	" " " 7775,	15,000	00
		" J. D. Bingham, Lieut. 2d artillery, received of him, 9th Feb'y, 1857,	9	80
Jan'y.	15,	" J. Seymour, Lieut. 1st artillery, received of him, 17th October, 1856,	214	92
		" Appropriation:		
		For amt. rec'd of Lt. Col. J. H. Winder, March 8, '57, for proceeds of effects of J. Neyfrom, dec'd, company "G.," 1st artillery,		75
		For amt. rec'd of Lt. Col. J. H. Winder, March 8, '57, for proceeds of effects of P. Ryan, company "G.," 1st artillery,	6	15
			$149,037	53
		Balance due the United States, as per contra,	$83,207	52

Cr.

1857.				
March	10,	By Requisition No. 6618,	$250	38
		By W. Jenkins, Lt. 1st artillery:		
		He was paid as acting a. c. subs., from 1st July to 30th Sept., 1856, but does not drop the increased price of a ration for that time, 92 days, at 10c.,	9	20
		By R. C. Duryea, 1st Lt. artillery:		
		In his pay account from 1st November to 31st December, 1856, in which he charges the increased price of a ra-		

tion, he does not drop the increased price for Aug. 1856, while acting a. c. subs., 31 days, at 10c., . .	3	10
By A. Beckwith, 1st Lt. 1st artillery:		
In his account for March, 1857, in which he charges the increased price of a ration, he does not drop the increased price from 24th October to 31st December, 1856, while paid as acting a. c. subs., 69 days, at 10c., . .	6	90
By A. Smead, 2d Lt. 1st artillery:		
In his pay account for February, 1857, in which he charges the increased price of a ration, he does not drop the increased price from 1st July to 31st October, 1856, while paid as acting a. c. s., 123 days, at 10c., .	12	30
By F. A. Cunningham, paymaster:		
Transferred to him, 12th March, 1857,		40
Appropriation:		
For amt. disbursed by him from 1st December, 1856, to 31st May, 1857, per general abstract disbursements, .	65,547	73
By balance carried down, . . .	83,207	52
	$149,037	53

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE, July 3d, 1857.

G. W. MERCER.

SECOND COMPTROLLER'S OFFICE, Sept. 4th, 1857.

W. A. EVANS.

No. 5593.

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE,
July 3d, 1857.

I certify that I have examined and adjusted the account of J. Y. Dashiell, paymaster United States Army, and find that he is charged and chargeable as follows:

1857.				
Mar.	6.	To balance No. 4836, ...	$28,484	13
July	15.	" J. Seymour, Lieutenant first artillery, received of him, 17th October, 1856, .	214	92
Feb.	21.	" A. Cumming, Lieutenant tenth infantry, received of him 9th February, 1857, .	71	40
"	14.	" requisition No. 7356, ...	23,000	00
"	"	" " " 7357, ...	5,000	00

Mar. 6.	" " " 7424,		5,000 00
" "	" " " 7425,		11,000 00
" 9.	" " " 7433,		250 38
April 7.	" " " 7528,		26,000 00
June 10.	" " " 7769,		20,000 00
" 11.	" " " 7774,		15,000 00
" "	" " " 7775,		15,000 00
	" J. D. Bingham, lieutenant second artillery, received of him 9th February, 1857,		9 80
	" Appropriation for amount received of Lieutenant Colonel J. H. Winder, Mar. 8, 1857, for proceeds of effects of J. Neyfrom, dec'd, Co. "G.," first artillery,	75	
	for amount received of Lieutenant Colonel Winder, for effects of P. Ryan, Co. "G.," first artillery,	6 15	6 90
	And is credited and entitled to credit as follows:		
	By requisition No. 6618,	$250 38	
	" W. Jenkins, Lieutenant first artillery. He was paid as acting a. l. sub. from 1 July to 30 Sept. 1856; he does not drop the increased price of a ration for that time,	9 20	
	" R. C. Duryea, 1st Lieutenant first artillery. He does not drop the increased price of a ration for Aug., 1856, while acting a. l. sub.,	3 10	
	" A. Beckwith, first Lieutenant first artillery. He does not drop the increased price of a ration from 24 Oct. to 31 Dec. 1856, while acting a. l. sub.,	6 90	
	Carried forward,	$269 58	$149,037 53

Brought forward,		$269 58	$149,037 53
By A. Smead, second Lieutenant first artillery. He does not drop the increased price of a ration from 1 July to 31 Oct., 1856, while paid as acting acs.,		12 30	
" F. A. Cunningham, paymas'r, transferred to him March 12, 1857,		40	
" Appropriation for amount disbursed by him from 1 Dec. 1856, to 31 May, 1857, see gen'l abs't of disbursements,		65,547 73	65,830 00
Leaving an aggregate balance due the United States of			$83,207 52
Under the following appropriations due the United States:			
Pay of the army,		$46,883 98	
Subsistence of officers,		30,986 45	
Forage,		3,622 40	
Pay in lieu clo. off. s'vts,		1,855 46	
Raising four add'l reg'ts,		119 36	
Expenses of recruiting,		214 92	
		$83,632 57	
Due the paymaster,			
Clothing of the army,	$202 59		
Travelling alls. to vols, act 3 March, 1855,	43 73		
3 months' extra pay,	72 00		
Med. and hospt. dept.,	75 00		
Pay of volunteers,	31 73	425 05	83,207 52

A requisition to be issued in his favor for credit balances, to be covered by counter requisition for $90 77, on account "pay to the army," $119 36, raising four additional regiments, and $214 92 on account "expenses recruiting," as appears from the statements and vouchers herewith transmitted, for the decision of the second comptroller of the treasury thereon.

T. J. D. FULLER,
Second Auditor.

To the Second Comptroller of the Treasury.

Second Comptroller's Office.

I admit and certify this 4th day of September, 1857.

J. M. BRODHEAD,
Second Comptroller.

Disbursements under official Bond, dated March 19, 1855.

The United States in account current with Major J. Y. Dashiell, Paymaster in the Army of the United States.

1857.	Dr.		
July 31.	To amount expended in paying the troops from 31 May, 1857, the date of last account, rendered to 31 July, 1857, as per abstract and vouchers herewith,	$39,425	12
	Turned over to Major F. A. Cunningham, .		40
	Balance due the United States, to be rendered in next account, ...	20,113	55
		$59,539	07

1857.	Cr.		
May 11.	By balance to be accounted for, as stated in last account current of this date, .	$9,518	51
June 15.	Received from treasurer United States, deposited at New York, ...	15,000	00
15.	Received from treasurer United States, deposited at Charleston, ...	20,000	00
16.	Received from treasurer United States, deposited at Charleston, ...	15,000	00
July 2.	Received from Capt. J. Roberts, 4 art'y, proceeds of effects of private Patrick Carroll, dec'd, late of comp'y "D," 4 art'y, ...	2	81
July 14.	Received from Brt. Lt. Col. J. H. Winder, proceeds of effects of private William Railley, dec'd, late of comp'y "G," 1 art'y, ...	5	00
July 17.	Received from J. Harpool, overpaid vouch. 53 abst. April and May, '57, . .		50
July 2.	Received from Capt. A. Doubleday, overpaid vouch. 32, abst. Feb. and May, '57,	10	00
July 17,	Received from laundress, paid in the cases of B. Cunningham, J. G. Smith, and W. Tomkinson, deserters, there being nothing due them, voucher No. 84, abstract of Feb. and March, 1857, . . .	2	25
		$59,539	07

I certify that the above is a true account of all public money received by me not heretofore accounted for, and that the disbursements have been faithfully made.

Stated at Fort Moultrie, S. C., this 31 day of July, 1857.

J. Y. DASHIELL,
Paymaster U. S. Army.

J. Y. Dashiell, paymaster U. S. Army, in account with the United States.

Dr.

1857.			
Sept. 4,	To balance No. 5593, . . .		$83,207 52
Aug. 4,	" requisition " 7986, . . .		1,000 00
" 4,	" " " 7987, . . .		12,000 00
Sept. 5,	" " " 8093, . . .		425 05
	" appropriation received 2d July, 1857, of Capt. J. Roberts, fourth artillery, for effects of P. Carroll, dec'd,	$2 81	
	Received 14th July, 1857, of Col. J. H. Winder, for effects of private Wm. Raily, dec'd, of Co. "L," first artillery, ...	5 00	
			7 81
			$96,640 38
	To balance due the United States,		$56,796 94

Cr.

1857.			
Sept. 8,	By requisition No. 6720, . . .		$425 05
Dec. 3,	" J. Vogdes, Capt. first artillery, transferred to him 29th Nov., '56, ...		214 92
Oct. 14,	" F. A. Cunningham, paymaster, transferred to him 9th April, '57, by S. K. Dawson, . .		40
	" A. Wall, ass't surgn. overpaid him two days increased pay and subsistence, and an error of 4 cts. in calculation. He charges from 10th Sept. '56. Accepted 12th of that month, . . .		2 38
	" Appropriation for amounts disbursed from 1st June to 31st July, '57, as per abstract,	$39,109 85	

For amount of suspensions admitted, ...	90 84	
		39,200 69
Balance carried down, . .		56,796 94
		$96,640 38

Treasury Department, Second Auditor's Office, December 9, 1857.

ALEX. ELLIOT.

Second Comptroller's Office, January 5th, 1858.

W. A. EVANS.

Treasury Dfpartment,
Second Auditor's Office, December 9, 1857.

I certify, that I have examined and adjusted the account of Major J. Y. Dashiell, paymaster U. S. Army, and find that he is charged as follows:

1857.	To balance due the United States, setl. Sept. 4, 1857, . .		$83,207 52
Aug. 4,	" requisition No. 7986, . .		1,000 00
" 4,	" " " 7987, . .		12,000 00
	" appropriation:		
	Received 2d July, '57, of Capt. J. Roberts, fourth artillery, for effects of P. Carroll, dec'd, . . .	$2 81	
	Received 14th July, '57, of Col. J. H. Winder, for effects of private Wm. Raily, dec'd, of Co. "L," first artillery, ...	5 00	
			7 81
			96,215 33

And that he is entitled to credit, as follows:

1857.			
Oct. 14,	By F. A. Cunningham, paym'r, transferred to him 9th April, '57, ...	$ 40	
Dec. 3,	" J. Vogdes, Capt. first artillery, transferred to him 29th Nov., '56, ...	214 92	
	" A. Wall, ass't surgn., overpaid him two days, increased pay and subsistence, and an error of 4 cts. in calculation. He charges from 10th Sept.,		

'56. He accepted 12th of that month, . . .		2 38	
“ Appropriation for this amount heretofore suspended, now admitted as per abstract, .		90 84	
For amount of disbursements, from 1st June to 31st July, 57, as per abstract herewith,		39,109 85	
			39,418 39
Leaving an aggregate balance due the United States, of .			$56,796 94
Thus: due the United States.			
Pay of the army, . . .		$22,857 13	
Subsistence of officers, .		28,735 10	
Forage, ...		3,607 60	
Pay in lieu of clo. officers servants, . . .		1,757 96	
Clothing of the army, .		225 07	
		$57,182 86	
Due the paymaster.			
Expenses of recruiting,	$214 92		
Med. and hos. dept., .	171 00		
		385 92	
			56.796 94

A requisition to be issued in his favor for creditor balances to be covered by counter requisition, on account of “pay of the army.”

As appears from the statement and vouchers herewith transmitted, for the decision of the second comptroller of the treasury thereon.

T. J. D. FULLER,
Second Auditor.

To the Second Comptroller of the Treasury:

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above, this 5th day of January, 1858.

J. MADISON CUTTS,
Second Comptroller.

Account Current.

Disbursements under official bond, dated March 19, 1855.

The United States in account current with Major J. Y. Dashiell, paymaster in the army of the United States.

1857.		Dr.
October 31,	To amount expended in paying the troops, from 31st July, 1857, the date of last account rendered, to .	

		31st October, 1857, as per contract and vouchers herewith, . . .	$13,234	10
		Balance due the United States, to be rendered in next account, . .	19,914	39
			$33,148	49
1857.		Cr.		
July	31,	By balance to be accounted for, as stated in last account current of this date, .	$20,113	55
Sept.	30,	Received from treasurer U. S., deposited at New York, N. Y., . .	1,000	00
"	30,	Received from treasurer U. S., deposited at New York, N. Y., . .	12,000	00
Oct.	31,	Received from Lieut. A. Smead, 1 art'y, overpaid as a acs., from 1 July to 31 October, 1857, ...	12	30
"	31,	Received from C. H. Webber, 1 art'y, proceeds of effects of prt. Peter McDermott, late Co. H., 1st art'y, .	7	40
"	31,	Received from F. A. Sharp, 1 art'y, amount appropriated to military asylum at fort Capron, Fla., Dec. '56, .		72
"	31,	Received from W. Jenkins, overpaid as a acs. from 1 July to 30th September, 1856, ...	9	20
"	31,	Received from John Gaylon, overpaid to vo. 90, abstract Jan'y and Feb'y, 1857, ...	5	02
"	31,	Received from A. Livingston, overpaid vo. No. 90, abstract Jan'y and Feb'y, 1857, ...		30
			$33,148	49

I certify that the above is a true statement of all public money received by me not heretofore accounted for, and that the disbursements have been faithfully made.

Stated at fort Moultrie, S. C., this twenty-first day of November, 1857.

J. Y. DASHIELL,
P. M. U. S. Army.

Received of Lieut. A. Smead, 1 artillery, this 11th day of October, 1857, at fort Moultrie, S. C., twelve dollars thirty cents, being the amount stopped against him by 2d auditor, for overcharge in the price of the ration, as acting commissary of subsistence, from 1 July to 31 October, 1856.

$12 30. (In duplicate.)

J. Y. DASHIELL,
P. M. U. S. Army.

Received of Lieut. W. Jenkins, 1st artillery, at fort Moultrie, S. C., 31st October, 1857, nine dollars twenty cents, being the amount overdrawn as acting assistant commissary, from 1 July to 30 September, 1856.

$9 20. (In duplicate.)

J. Y. DASHIELL,
P. M. U. S. Army.

J. Y. Dashiell, paymaster, in account with the United States.

Dr.

1858.				
January	5,	To balance 6139, ...		$56,796 94
1857.				
Nov.	25,	To requisition 8356, ...		12,000 00
"	25,	To " 8357, ...		1,000 00
1858.				
January	5,	To " 8475, ...		385 92
		To W. Jenkins, Lieut. 1 art'y, received of him 31 Oct., '57, ...		9 20
		To A. Smead, Lieut. 1 art'y, received of him 11th Oct., '57, ...		12 30
		To appropriation, for amount received of Lieut. C. A. Webber, 1 art'y, 31 Oct., '57, for proceeds of effects of Peter McDermot, dec'd, Co. H., 1 art'y,	7 40	
		For amount received of F. A. Sharp, Lieut. 1 art'y, 31 Oct., '57, amount appropriated to mil. asylum at fort Capron, Fla., ...	72	8 12
				$70,212 48
		To balance due the United States, as per contra, ...		$56,763 96

Cr.

1858.			
January	8,	By requisition 6785, ...	$385 92
		" E. Van Ness, D. P. Gen'l, for am't refunded to paymaster V. N., Jan. 5, 1858, being a suspension against paymaster D., ...	17 30
		" appropriation for amount disbursed	

by him from 1st Aug. to 31 Oct., '57, per gen'l abst. of disb'ts, .	13,045 30
Balance due the United States, carried down, ...	56,763 96
	$70,212 48

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE, March 17, 1858.

G. W. MERCER.

SECOND COMPTROLLER'S OFFICE, April 22, 1858.

W. A. EVANS.

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE,
March 17, 1858.

I certify that I have examined and adjusted the account of J. Y. Dashiell, paymaster United States army, and find that he is charged and chargeable as follows:

1858.			
January 5.	To balance No. 6139, ...		$56,796 94
1857.			
Nov. 25.	" requisition No. 8356, ...		12,000 00
" "	" " " 8357, ...		1,000 00
1858.			
January 6.	" " " 8475, ...		385 92
	" W. Jenkins, lieutenant 1st artillery, received of him, 31 October, 1857, .		9 20
	" A. Sneed, lieutenant 1st artillery, received of him, October, 1857, . .		12 30
	" Appropriation for amount received of Lt. C. A. Webber, 1 artillery, 31 October, 1857, for proceeds of effects of Peter McDermott, deceased, Company H, 1st artillery, ...	7 40	
	For amount received of F. A. Stroup, lieutenant 1 artillery, 31 October, '57, amount appropriated to military asylum at Fort Capron, Florida, . .	72	
			8 12
			70,212 48

And is credited and entitled to credit:

1858.		
January 8.	By requisition No. 6785, . .	385 92
	" E. Van Ness, D. P. M. General, for amount refunded	

to Paymaster V. N., Jan'y 5, 1858, being a suspension against pay'r D., . . .		17 30	
By appropriation for am't disbursed by him, from 1 August to 31 October, '57, .		13,045 30	
			13,448 82
Leaving an aggregate balance due the United States of			56,763 96

Under the following appropriations:

Due the United States—			
Pay of the army, ...		21,094 15	
Subsistence of officers, . . .		29,907 15	
Forage, ...		3,755 60	
Pay in lieu of clo. officers' servants, .		1,847 96	
Clothing of the army, . . .		225 07	
		$56,829 93	
Due the paymaster,			
Med. and hosp. depart., .	$48 00		
Pay in lieu of cloth. to dis'd soldiers, . .	17 47		
		65 97	
			56,763 96

As appears from the statement and vouchers herewith transmitted, for the decision of the second comptroller of the treasury thereon.

T. J. D. FULLER,
Second Auditor.

To the Second Comptroller of the treasury.

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above, this 22d day of April, 1858.

J. MADISON CUTTS,
Second Comptroller.

Account Current.

Disbursements under Official Bond, dated March 19th, 1855.

The United States in account current with Major J. Y. Dashiell, paymaster in the army of the United States.

1858.	Dr.	
March 31.	To amount expended in paying the troops, from 31st Oct. 1857, the date of last account, rendered to 31st March, 1858, as per abstract and vouchers herewith,	$14,838 82

To balance due United States, to be rendered in next account, . . .	19,085	73
	$33,924	55

Received, Fort Dallas, Fla., 14th December, '57, of Bt. Lt. Col. John W. Winder, U. S. A., and Capt. Co. G, 1st Artillery, twenty dollars, being the proceeds of the effects of private Alfred J. Harris, deceased, late of Co. G, 1st Artillery.

$20. (In duplicate.)

J. Y. DASHIELL,
Paymaster, U. S. Army.

Received of Major Geo. C. Hutter, paymaster, U. S. Army, this thirty-first day of December, 1857, at Charleston, in the State of South Carolina, the sum of four hundred and ninety-one dollars, thirty cents, on account of pay, &c., of the army. For which sum, I am accountable.

(Signed in duplicate.)

J. Y. DASHIELL,
Paymaster, U. S. Army.

Cr.

1857.			
Oct. 31.	By balance to be accounted for, as stated in last account current of this date, . .	$19,914	39
Dec. 3.	Received from treasurer U. S., deposited at Charleston, S. C., . . .	12,000	00
1.	“ “ treasurer U. S., deposited at New York, . . .	1,000	00
14.	“ “ Brt. Lt. Col. J. H. Winder, proceeds of effects of private Alfred J. Harris, deceased, late of Co. G, 1st Art'y, .	20	00
	“ Brt. Capt. J. Seymour, overpaid voucher No. 30, abstract Aug. and Sept., 1856, . . .		20
	“ W. Baker, Co. H, 1st Art'y, over paid voucher No. 32, abstract Aug. and Sept., 1856, . .		33
	“ A. Thompson, Co. A, 1st Art'y, overpaid voucher No. 52, abstract Dec. '56 and Jan'y, '57,	1	50
	“ J. McGuire, Co. G, 1st Art'y, overpaid voucher No. 86, abstract February and March, '57, .		76
	“ Capt. W. M. Gardner, twice paid		

		increased pay proper for December, '56, voucher No. 98, abstract February and March, '57,	20	00
	Received from	Co. K, 4th Art'y, roll over added 31st December, '56, voucher No. 87, Feb. and March, '57, .	61	50
	"	Justin Dimick, Brt. Col. and Maj. 1st Art'y, brt. pay from 1st January to 28th February, '57, disallowed, voucher No. 57, abstract April and May, '57, .	120	80
	"	Justin Dimick, Brt. Col. and Maj. 1st Art'y, brt. pay from 1st March to 30th June, '57, disallowed, vouchers 14 and 15, abstract June and July, '57, .	246	40
	"	Roll of staff and band, 1st Art'y, overadded, voucher 65, June and July, '57, ...	10	00
	"	J. Clavin, overpaid, voucher No. 68, abstract June and July, '57, ...	33	25
	"	James Claixe, overpaid voucher No. 49, abstract August to 31st October, '55, ...		32
	"	Major J. Y. Dashiell charges two additional service rations from date of appointment, disallowed, voucher No. 1, abstract June and July, 1856, ...	3	80
Dec. 31.	"	From Major Geo. C. Hutter, paymaster, U. S. Army, . .	491	30
			$33,924	55

I certify that the above is a true account of all public money received by me, not heretofore accounted for; and that the disbursements have been faithfully made.

Stated at Washington, D. C., this thirty-first day of March, 1858.

J. Y. DASHIELL,
Paymaster, U. S. Army.

J. Y. Dashiell, Paymaster, in account with the United States.

1858.	Dr.	
April 22.	To balance on sett. No. 6733, . . .	$56,763 96
23.	" Requisition " 8885, . . .	65 97
May 6.	" G. C. Hutter, paymaster. Rec'd of him, 31 December, '57, .	491 30
	" Appropriation, for amt. rec'd of Col. J. H. Winder, 14 Decem., '57, for proceeds of effects of A. J. Harris, Co. G., 1st art'y, .	20 00
		$57,341 23
	To balance due United States, . . .	$19,051 31

1858.	Cr.		
April 28.	By Requisition No. 6858, ...		$ 65 97
	" Appropriation,		
	for am't disbursed by him, from 1st Nov., 1857, to 31 March, 1858, . .	$14,939 36	
	for amount of suspensions admitted, . . .	169 59	
	for am't disallowed in last settlement, now brought to his credit, a bill for his relief having been passed, 21 April, 1858, . .	23,115 00	
			38,223 95
	Balance carried down, . . .		19,051 31
			$57,341 23

Treasury Department, Second Auditor's Office, June 22d, 1858.

G. W. MERCER.

Second Comptroller's Office, July 7th, 1858.

W. A. EVANS.

Treasury Department, Second Auditor's Office, June 22d, 1858.

I certify that I have examined and adjusted the account of J. Y. Dashiell, Paymaster U. S. Army, and find that he is charged and is chargeable, as follows:

1858.		
April 22.	To balance No. 6733, ...	$56,763 96
23.	" Requisition No. 8885, ...	65 97
May 6.	" G. C. Hutter, paymaster, rec'd of him 31 Dec., '57, . . .	491 30

1963

	By appropriation, for am't rec'd of Col. J. H. Winder, 14 Dec., '57, for proceeds of effects of A. J. Harris, Co. G.. 1st art'y,			20 00
				$57,341 23
1858.	And is credited and entitled to credit			
April 28.	By Requisition No. 6858,		$ 65 97	
	" Appropriation,			
	for am't disallowed in last settle't, am't of money lost in Florida,		23,115 00	
	for am't disb'd by him from Nov. '58 to 31 Mar. '58,		14,939 36	
	for am't of suspensions admitted,		169 59	
				38,289 92
	Leaving an aggregate balance due the United States of			$19,051 31
	Under the following Appropriations, due the United States:			
	Pay of the army,		$9,432 26	
	Subsistence of officers,		27,172 20	
	Forage,		3,635 60	
	Pay in lieu of clo. officers' sevts.,		1,750 46	
	Clothing of the army,		259 54	
			$42,250 06	
	Due the paymaster,			
	for relief of Maj. J. Y. Dashiell, act 21 Apl. '58,	$23,115 00		
	3 months' extra pay,	21 00		
	Med. & Hosp. dept.,	56 75		
	Expenses of recruiting,	6 00		
			23,198 75	
				$19,051 31

A. req. will issue in favor of paymaster Dashiell, for $23,198 75 on account balance due him as above, to transfer to his credit by counter req. on account sub's $22,939 21, and clo. of the army, $259 54, as appears from the statement and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

T. J. D. FULLER,
Second Auditor.

To the Second Comptroller of the Treasury.
[Rec. ccxx. D. T. 1860.]—18

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above this 7th day of July, 1858.

J. MADISON CUTTS,
Second Comptroller.

J. Y. Dashiell, late paymaster, United States Army, in account with the United States.

Dr.

1858.		
July 7.	To balance, No. 7060,	$42,250 06
“ 19.	“ Requisition No. 9158,	23,198 75
	“ Appropriation,	
	for this sum, being interest on $13,000, from 25th November, 1857, to 15th September, 1858, being 9 mos. 21 days,	630 50
	for this sum, being interest on $6,050 85, from 4th August, 1857, to 15th September, 1858, being 1 year, 41 days, said interest charged per Act 3d March, 1797,.	404 39
		$66,483 70
	Balance due the United States,	$20,085 74

Cr.

1858.		
July 7.	By balance, No. 7060,	$23,198 75
“ 20.	“ Requisition No. 6903,	23,198 75
	“ Appropriation,	
	for amount of suspension admitted, per abstract,	46
	Balance carried down,	20,085 74
		$66,483 70

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE, 15th Sept., 1858.

H. A. OLCOTT.

SECOND COMPTROLLER'S OFFICE, Sept. 21, 1858.

W. A. EVANS.

No. 7344.

Treasury Department,
Second Auditor's Office, 15 September, 1858.

I certify that I have examined and adjusted the account of Major J. Y. Dashiell, late paymaster, United States Army, and find that he is charged and chargeable as follows:

1858.		
July 7.	To balance No. 7060, ...	$42,250 06
19.	" Requisition No. 9158, ...	23,198 75
	" Appropriation,	
	for this sum, being interest on $13,000, from 25th November, 1857, to 15th September, 1858, being 9 mos. 21 days, ...	630 50
	for this sum, being interest on $6,050 85, from 4th August, 1857, to 15th September, 1858, being 1 year, 41 days, said interest charged per Act 3d March, 1797, ...	404 39
		$66,483 70

And is credited and entitled to credit as follows:

1858.			
July 7.	By balance No. 7060, . .	$23,198 75	
20.	" Requisition No. 6903, .	23,198 75	
	" Appropriation,		
	for an amount of suspension admitted, per abstract, . . .	46	
			$46,397 96
	Leaving an aggregate balance due the United States of		$20,085 74

Under the following appropriations,—

Pay of the army, ...	$10,466 69	
Subsistence of officers, . . .	4,232 99	
Forage, ...	3,635 60	
Pay in lieu of clothing officers' servants, ...	1,750 46	
		$20,085 74

As appears from the statement and vouchers herewith transmitted for the decision of the second comptroller of the treasury thereon.

T. J. D. FULLER,
Second Auditor.

To the Second Comptroller of the Treasury.

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above, this 21st day of September, 1858.

J. MADISON CUTTS,
Second Comptroller.

Statement of difference existing on settlement of the account of J. Y. Dashiell, late paymaster, to 15 September, 1858.

Balance due the United States per official statement,	$20,085 74
" " " " his last account current rendered, ...	19,085 73
	$1,000 01

Accounted for as follows:

		Cr.	Dr.
	Sett. 5 July, 1856.		
	Abst. for April and May, 1855.		
Vo. 21.	S. K. Dawson, capt. 1 art'y, in his act. from 1 January to 30 April, '55, is overpaid subsistence for self,		80
	Abstract 1 May to 31 Oct. '55.		
3.	Co. "F." 1 cav., W. Brasil, private, is overpaid, ...		3 56
	Sett. 6 March, 1857.		
	Abst. 1 April to 31 May, 1856.		
38.	Det. 1 art'y, W. Beall, private, is overpaid, error in calculation, .		30
	Abstract June and July, 1856.		
45.	Co. "D." 1 art'y, B. Greensman, private, last paid to 30 April, '56, is paid for 4 mos. 26 days, in roll, to 30 June, '56, overpaid, $27 96 Deduct amt. carried to credit of paymaster; see dress roll and his letter of Dec. 57, . . $19 50		8 46
	Sett. 4 September, 1857.		
	Abst. Feb'y and March, 1857.		
83.	Co. "B." 1 art'y roll to 28 Febr'y, '57, James Carroll, private, is overpaid; stoppage not deducted, .		68
	Abstract April and May, '57.		
50.	Co. "E." 1 art'y roll, March and April, '57, Jas. Chester, private, is overpaid; stoppage not deducted,		20
	Sett. 5 January, 1858.		
	Abstract June and July, 1857.		
60.	Co. "D." 4 art'y roll, to 30 June,		

		Cr.	Dr.
	'57, James Dumas is overpaid; error in calculation, . . .		10 84
64.	Co. "H." 1 art'y, roll to 30 June, '57, C. Castolow, private, is overpaid; error in calculation, . .		40
	Sett. 22d April, 1858.		
	Abst. 1 July to 31 Oct. 1857.		
38.	Co. "D." 1 art'y, July and August, '57, the pay-roll is overadded, .		100 00
	Sett. 5 July, 1856.		
	Abst. April and May, 1855.		
54.	Co. "G." 1 art'y, roll is short added,	8 00	
	Amount carried forward,	8 00	125 24
	Amount brought forward,	8 00	125 24
	Abstract June and July, 1855.		
40.	Co. "D." 1 art'y, roll is short added,	2 00	
	Amount of suspension admitted in official statement Vo. 126, 127, and 32, in sett. of paym. act. 19 June, '50, refunded by Lt. T. J. Wood to Paymaster Johnson, which has been refunded by Paymaster Dashiell, .	10 41	
	Amount credited by paymr. in act. current of 8 Feb'y, '56, as an overpayment to Capt. Crawford; not suspended, ...	28	
	Sett. 6 March, 1857.		
	Abstract 1 April to 31 May, '56.		
30.	Co. "G." 1 art'y, roll is short added,	33 50	
	Abst. Aug. and Sept. 56'.		
32.	Co. "H." 1 art'y, roll is short added,	93	
	This sum credited paymr. for overpayment to N. Grant, Lt. 13 inft'y, No. 22, traveling subsistence suspended, ...	4 00	
	Sett. 7 July, 1858.		
	Abstract from 1 November, '57, to 31 March, 1858.		
30.	Co. "A." 1 art'y, roll Sept. and Oct., '57, John Tracy, private, is overpaid, ...		50
32.	Co. "G." 1 art'y, roll to 31 Oct., '57, is short added, ...	1 00	
33.	Co. "H." 1 art'y, roll to 31 Oct. '57, is short added, . . .	100 50	
	Present sett.		

For this sum, being int. on $13,000, from 25 Nov., 1857, to 15 Sept. 1858, being 9 mos. 21 days, .		630 50
For this sum, being int. on $6050 85, from 4 Aug., 1857, to 15 Sept. 1858, being 1 year 41 days, .		404 39
	$160 62	$1160 63
Deduct credit amount from debit amount,		160 62
		$1,000 01

TREASURY DEPARTMENT, 2D AUDITOR'S OFFICE, 15th September, 1858.

Exhibit "B." of Defendant's Bill of Exceptions.

Transcript from Treasury Department.

TREASURY DEPARTMENT,
SECOND AUDITOR'S OFFICE, 22d September, 1858.

Pursuant to the Act of Congress of 3d March, 1817, entitled "An act to provide for the prompt settlement of the public accounts," I, T. J. D. Fuller, second auditor of the Treasury Department, do hereby certify that the aforegoing is a transcript from the books and proceedings of the treasury.

T. J. D. FULLER,
Second Auditor.

Be it remembered, that T. J. D. Fuller, Esq., who certified the aforegoing transcript, is now, and was at the time of so doing, second auditor of the treasury of the United States, and full faith and credit are due to his official attestation.

In testimony whereof, I, Howell Cobb, Secretary of the Treasury of the United States, have hereunto subscribed my name and caused to be affixed the seal of this department at the City of Washington, this 22d day of September, 1858.

[SEAL.]

HOWELL COBB,
Secretary of the Treasury.

I, Matthew Hopkins, Clerk of the District Court of the United States for the Western District of Texas, at Austin, hereby certify that *that* the foregoing 46 sheets hereto attached and numbered for reference by defendants, under the arbitrary numbers from one to

fifty-four, are a full, complete, and correct copy of Treasury Transcript, marked Exhibit "B." of defendant's bill of exceptions in the accompanying transcript. I further certify that it is a portion of the record, and thus introduced for the reason of the difficulty of otherwise embodying it in the defendant's bill of exceptions without confusion. In teste whereof my hand and seal of court annexed.

[SEAL.]

MATTHEW HOPKINS,
Clerk.

1953

SUPREME COURT OF THE UNITED STATES.

No. ~~38.~~ 37.

THE UNITED STATES, PLAINTIFF IN ERROR,

vs.

JEREMIAH Y. DASHIEL ET AL.

CERTIORARI AND RETURN.

GOVERNMENT PRINTING OFFICE.

1 UNITED STATES OF AMERICA, *ss:*

The President of the United States of America to the judge of the district court of the United States for the western district of Texas, greeting:

Whereas in a certain suit in said district court between the United States, plaintiffs, and Jeremiah Y. Dashiell and Isaiah A. Paschal, defendants, which suit was removed to the Supreme Court of the United States by virtue of a writ of error agreeably to the act of Congress in such case made and provided, a diminution of the record and proceedings of said cause has been suggested, to wit, "that after the rendition of the judgment, there was an execution sued out by the plaintiffs, a levy and sale and satisfaction of the execution, and the marshal's return of levy and sale remain upon said execution, which is of file in the proceedings, all of which are necessary to determine the law upon the case"—

You, therefore, are hereby commanded that, searching the records and proceedings in said cause, you certify what omissions and errors you shall find to the said Supreme Court of the United States, so that you have the same, together with this writ, before the said Supreme Court forthwith.

Witness the honorable Roger B. Taney, Chief Justice of said Supreme Court, this 27th day of December, A. D. 1860.

WM. THOS. CARROLL,
Clerk Supreme Court U. S.

2 District court of the United States for the western district of Texas, at Austin.

U. STATES
vs.
DASHIEL *et al.*

And now on this day, to wit, November 7th, A. D. 1865, in pursuance of the accompanying certiorari, I, Matthew Hopkins, clerk of the district court of the United States for the western district of Texas, at Austin, after diligent search, amend the record, in this, that "*that* after the rendition of judgment there was an execution sued out by the plaintiffs, a levy and sale," and partial "satisfaction of the execution, and the marshal's return of levy and sale remain upon said execution, which is of file in the proceedings;" copy of which, under my hand and the seal of the court, accompany and are made part of this return.

Witness the Hon. Thomas H. Duval, judge of said court, and the seal of the court at Austin.

MATTHEW HOPKINS, *Clerk.*

3 District court of the United States for the western district of Texas, at Austin holding sessions.

THE UNITED STATES OF AMERICA:

Be it remembered, that in a certain suit in said district court between the United States, plaintiffs, and Jeremiah Y. Dashiell and Isaiah

A. Paschal, defendants, which suit was removed to the Supreme Court of the United States by virtue of a writ of error agreeably to the act of Congress in such case made and provided, a diminution of the record and proceedings of said cause has been suggested, to wit, "that after the rendition of the judgment, there was an execution sued out by the plaintiffs, a levy and sale and satisfaction of the execution, and the marshal's return of levy and sale remain upon said execution, which is of file in the proceedings, all of which are necessary to determine the law of the case," as will more fully appear from the writ of certiorari accompanying and annexed hereto, commanding that the record therein be amended so that the full record be before said Supreme Court; and it appearing that on the 15th day of April, A. D. 1860, there issued from the clerk's office of the district court of the United States for the western district of Texas, at Austin, an execution indorsed, to wit:

Execution.

United States district court, at Atchison, No. 523. The United States *vs.* Jeremiah Y. Dashiel and Isaiah A. Paschal. Am't judgment, $10,318 22. Interest, from January 19th, 1860, at 8 per cent.; clerk's costs, $30 60; attorney's, $27 50; marshal's, $13 96; total, $72 06; marshal's add'l, $102 42—$174 48.

4 Issued April 15th, 1860.

M. HOPKINS, *Clerk.*

Received in office 18th day of April, A. D. 1860.

WM. C. YOUNG,
U. S. Marshal, W. D. T.
By THOS W. MASTERSON,
Act'g U. S. M.

Which execution is in words, to wit:

THE UNITED STATES OF AMERICA, *Western district of Texas, ss:*

The President of the United States of America to the marshal of the western district of Texas, greeting:

Whereas the United States of America, on the 19th day of January, A. D. eighteen hundred and sixty-   , at our district court of the United States, held at Austin, in and for the western district of Texas, at the January term thereof, hath recovered a judgment against Jeremiah Y. Dashiel and Isaiah A. Paschal for the sum of ten thousand three hundred and eighteen dollars and twenty-two cents, ($10,318 22,) which bears interest at the rate of eight per cent. per annum from the day of the rendition thereof aforesaid, and for all costs of suit, amounting to the sum of seventy-two dollars and six cents, ($72 06,) which to them is now adjudged: these are, therefore, to command you that of the goods and chattels, lands, tenements, and estates of the said Jeremiah Y. Dashiel and Isaiah A. Paschal you cause to be made the judgment, interest, and costs aforesaid, together with the legal fees and commissions for collecting the same, and have you the said moneys before our said district court on or before the first day of the next term thereof, to be begun and held at Austin on the first Monday, being the fourth day of June next, together with this writ and how you have executed the same. Herein fail not, and due return make as the law directs.

Witness the Hon. Thomas H. Duval, judge of said court, and the impress of the seal of said court, at Austin, on this the 15th day of April, A. D. 1860, and eighty-fourth year of our independence.

[SEAL.] MATTHEW HOPKINS, *Clerk District Court U. S., Western District of Texas, at Austin.*

Bill of costs.

United States district court, western district of Texas.

CLERK'S OFFICE, *Austin, April* 15*th*, 1860.

THE UNITED STATES
vs.
JEREMIAH Y. DASHIEL and I. A. PASCHAL.

Clerk's cost.

January 26, 1859.	To filing and certifying to file and entry docket	$0 40
Feb'y 26, 1859.	To 2 copies of petition, certificate, and seal, $1 55 each	3 10
Feb'y 26, 1859.	To 2 citations and certificates of insurance, $1 15	2 30
Feb'y 26, 1859.	To 2 copies of citation for service, with seals, 50 cents	1 00
June 26, 1859.	To entering docket and certifying to file, 2 returns, 40	80
June 9, 1859.	To filing and certificate statement, def'ts,	25
June 9, 1859.	To motion and order, continuance on affidavits	30
June 9, 1859.	To filing and certifying to file and docket entry—answer	40
Dec. 13, 1859.	To filing and certifying to file 2 sets of depositions	50
Dec. 20, 1859.	To filing and certifying to file 1 set of depositions	25
Jan'y 4, 1860.	To order and indorsements opening depositions	75
Jan'y 11, 1860.	To filing and certif. amended answer	25
Jan'y 11, 1850.	To motion and order	30
Jan'y 16, 1850.	To entry	30
Jan'y 19, 1860.	To filing 4 sets dapartment papers	40
Jan'y 19, 1860.	To filing and certificate, instructions asked	25
Jan'y 19, 1860.	To filing and certificate charge of the court	25
Jan'y 19, 1860.	To filing and certificate bill of exceptions	25

Jan'y 19, 1860.	To filing and certificate verdict	40
Jan'y 19, 1860.	To entering judgment	30
Jan'y 19, 1860.	To making indexes dockets, taxing costs with venire	3 00
Jan'y 19, 1860.	To administering oaths	40
Jan'y 19, 1860.	To final record	12 00
Jan'y 19, 1860.	To filing and certifying to file bill costs, and copy	50
Jan'y 19, 1860.	To execution and certif.	1 50
	Clerk's costs	30 60

6 *Marshal's costs.*

Marshal's mil. on two writs, 80 and 86 (6 p.)	$9 96
Service 2 writs, $2	4 00
	13 96
Attorney's costs, with 3 sets depositions	27 60
Commissioner's costs not taxed paid by defts.	
	72 06

The marshal's return of execution, partly indorsed on said execution and on sheets numbered and accompanying, is in words, to wit, "Came to hand April 21st, 1860."

(1st page.)

Called upon the within-named defendant, I. A. Paschal, to pay the amount specified in the within execution, to wit, the judgment, the interest, the cost taxed, and the additional marshal's cost, and he pointed or designsted to me the following property, to wit, negroes, lands, and town lots, with the improvements and houses on the lands and town lots, the property of the within-named defendant, J. Y. Dashiel, subject to be levied upon and sold to satisfy the within execution, and upon which I did levy the within execution, this 28th day of April, 1860, more particularly described and numbered as follows, (see next blank page.)

(2 page of return.)

No. 1st, a negro man, slave, Jackson, aged 37 years; also No. 2, a negro boy, slave, Charles, aged 13 years; also No. 3, a negro woman, slave, Elizabeth, aged 29 years; also No. 4, a negro woman, slave, Mary, aged 40 years; No. 5, a negro woman, slave, Eliza, aged 35 years; also No. 6, a negro woman, slave, Susan, aged 39 years, and her two children, Lucy Ann, aged 8 years, and Henry, aged three years; also No. 7, one negro woman, slave, Harriet, aged 21 years, and her son, William, aged three years; also No. 8, one negro woman,
7 slave, Lucy, aged 47 years. Also the following tracts and parcels of land, lying, being, and situated in Bexar county, and State of Texas, and more particularly described as follows, to wit:

No. 9, a certain tract or parcel of land fronting on the west side of the Salado creek, immediately below and adjoining the land owned by Gen. R. B. Campbell, and bounded on the west by the San Antonio city tract, and containing about 1,800 acres of land.

Also No. 10, lot No. 35; No. 11, lot No. 34; No. 12, lot No. 31—in range one, district two, according to the plan of the city of San Antonio, containing in all twenty-two and $\frac{14}{100}$ acres.

Also No. 13, lot No. 1; No. 14, lot No. 2; No. 15, lot No. 3; No. 16, lot No. 4; No. 17, lot No. 5; No. 18, lot No. 6; No. 19, lot No. 7; No. 20. lot No. 8—third south range, block No. 7, city of San Antonio.

(3d page of return.)

No. 21, a lot, No. 1; No. 22, lot No. 2; No. 23, lot No. 3; No. 24, lot No. 4; No. 25, lot No. 5; No. 26, lot No. 6; No. 27, lot No. 7; No. 28, lot No. 8—third south range, block No. 5, city of San Antonio.

8 No. 29, a lot, No. 17; No. 30, a lot, No. 21; No. 31, lot No. 24; No. 32, lot No. 26; No. 33, lot No. 27—north range, west side of San Pedro creek, city of San Antonio.

No. 34, lot No. 1; No. 35, lot No. 2; No. 36, lot No. 3; No. 37, lot No. 4—second north range, block No. 1, city of San Antonio.

No. 38, lot No. 1; No. 39, lot No. 2; No. 40, lot No. 3; No. 41, lot No. 4; No. 42, lot No. 5; No. 43, lot No. 6; No. 44, lot No. 7; No. 45, lot No. 8—first south range, block No. 1, according to the plan of the city of San Antonio.

No. 46, lot No. 1; No. 47, lot No. 2; No. 48, lot No. 3—fronting 60 varas on the east on Rincon street; west, on the San Antonio river; on the south, by Pecan street; north, on Martin street, block 13.

(4th page.)

Also No. 49, a certain house and lots in La Valallita, in the city of San Antonio, and now occupied by D. Jarvis, U. S. A., fronting on the river San Antonio, together with all and singular the rights and privileges and appurtenances.

Also No. 50, twelve hundred and eighty acres of , fronting on the east side of the Nueces river, about nine miles above fort Ewell, being the same land purchased by the said J. Y. Dashiel, and patented by the State of Texas to the said J. Y. Dashiel.

9 On the 12th day of May, 1860, I received a written communication from the party defendant directed to me, requesting me not to advertise the property levied upon as above for sale, waiving all legal formalities of an advertisement, and authorizing me to sell the same on the next legal sale day, the same as though public advertisement had been made. And on the first Tuesday of June, it being the fifth day of the said month, at the court-house door, Bexar county, between the hours of ten o'clock a. m. and four o'clock p. m., after reading the abovenamed written communication, I proceeded to sell at public auction to the highest bidder, for cash in hand, when and where (5th page) J. H. Kampman bidding the sum of nine hundred dollars ($900) for the said

afore-described lot No. one, in block No. 10—numbered in the levy 46—and Justus Sauer bidding the sum of nine hundred and seventy-five dollars ($975) for the 2 remaining lots of block No. 13, numbers 2 and 3—numbered in the levy 47 and 48—and A. Superville bidding the sum of three thousand four hundred dollars ($3,400) for the house and lots No. 49 in the levy, the abovenamed persons, to wit, J. H. Kampman, Justus Sauer, and A. Superville, being the highest and best bidders for the property in the levy sold and set to their names, they were adjudged and declared the purchasers thereof.

J. H. Kampman and Justus Sauer have paid their bids, and deeds are executed. A. Superville gave me a draft made payable to the order of Tho. W. Masterson, acting U. S. marshal, which has been forwarded to him.

W. C. YOUNG,
U. S. Marshal W. D. of Texas,
By SAM'L NEWTON, *Deputy.*

10 (6th page.)

Bill of costs.—(marshal.)

Mileage, 88	$4 80
Levying	1 00
Advertising	1 00
Commissions	81 62½
3 deeds	15 00
Return	50
	$103 92½

Accompanying said return and enclosed with the execution, whether as part of the return or explanatory of the same, as made a part of the record, is the following letter, in words, to wit:

San Antonio, *Texas, June 7th,* 1860.

Tho. W. Masterson, esq., acting U. S. marshal, Austin:

Dear Sir: Your note of the 4th inst. came to hand yesterday. You learned by my note of the 5th inst. that I had adjourned the sale on ex. No. 523, after the bids amounted to $5,275, as directed by your note of the 2d inst., and my statement of that sale. The $1,875 reported is now in hand—a draft made payable to your order for $500, the balance in cash. I have executed deeds to J. H. Kampman and Justus Sauer. I now act upon your note of the 4th, received yesterday, and return, as you directed, the execution. If in the somewhat peculiar position of the case, my returns should not prove sufficient, please to correct or to return them for my correction. 11 I think the attorney will certainly approve of your action in staying the sale on the bids reaching five thousand dollars; and I cannot but think that he will, upon seeing the abundance of the levy, and learning that there is no hindrances thrown in the way of a forced collection, but a modest petition for time, the better to enable the defendant to find purchasers for his property, now in the clasp of the law. The sympathies of this community for Maj. Dashiel, where he has long lived, with his family, all plead for extension of time, if possible, to the next Jan'y term of the hon. district court. The interest still accruing, would the United States be much injured by the extension?

Yours, respectfully,

SAM'L NEWTON, *U. S. Deputy M.*

P. S.—Enclosed please find the executions.

S. NEWTON.

I, Matthew Hopkins, clerk of the district court of the United States for the western district of Texas, at Austin, do hereby certify that the foregoing eight and one-half pages, contain a full, true, and correct copy of all the proceedings had since the rendition of judgment in the case of the United States *vs.* Jeremiah Y. Dashiel and I. A. Paschal, numbered 523, as they appear of file in this office. In testimony whereof, I have hereunto set my hand and the impress of the seal of the court, at Austin, this 7th day of November, A. D. 1865.

[SEAL.] MATTHEW HOPKINS, *Clerk.*

Filed January 8, 1866.

10/85

In the Supreme Court of the United States.

DECEMBER TERM, 1866.

UNITED STATES,
vs.
DASHIELL & PASCHAL.
No. 37.

ERROR TO THE DISTRICT COURT FOR WESTERN
DISTRICT OF TEXAS.

BRIEF FOR THE UNITED STATES.

HENRY STANBERY,
Attorney General.
J. HUBLEY ASHTON,
Assistant Attorney General.

Supreme Court of the United States.

December Term, 1866.

United States, plaintiff in error,
vs.
Jeremiah T. Dashiell
and
Isaiah A. Paschal.
No. 37.

Statement of the case.

This is a writ of error to a judgment rendered in the district court of the United States for the western district of Texas, in an action instituted by the United States on the official bond of Jeremiah T. Dashiell, as paymaster of the United States army. The defendants were the principal obligor and one of the sureties in said bond. The personal representatives of the remaining surety (who was deceased at the time of the bringing of the suit) were sued in a separate action. In both cases verdicts were obtained, and judgments rendered in favor of the plaintiffs for a portion of the amount claimed; and to reverse these judgments writs of error have been brought by the United States.

The record in the present case (No. 37) shows that the United States sought to recover $20,085.75; which amount, they alleged in their *petition* or declaration, had come to the hands of the principal obligor as paymaster, and which he had failed to refund or account for to the United States, in breach of his said bond. (Record, p. 2.)

The defendants alleged in their *answer* or plea—1st, generally, that they did not owe the plaintiffs in the manner and form as averred. 2d, specially, that the defendant, Dashiell, without any fault or negligence on his part, was robbed at Pilatka, Florida, of a large portion—to wit, $9,675—of the money sued for, which was never recovered, and for which he was entitled to a credit from the United States. (Record, p. 8.)

The jury rendered a verdict for the United States for $10,318.22, on which the court entered judgment. (Record, p. 10.)

Plaintiffs' bill of exceptions.

The evidence on the part of the United States consisted of the bond sued upon, and duly authenticated transcripts from the books and proceedings of the Treasury, of the accounts of the defendant, Dashiell, and of the papers connected with the settlement of said accounts. (Record, p. 13.)

These accounts showed that the aggregate and final balance due the United States from the paymaster on September 15, 1858, was $20,085.74. (Record, p. 139.)

After the introduction of this evidence, the defendants offered evidence tending to prove the special matter alleged in their plea, to wit: that a large sum of the public moneys of the United States was stolen from the possession of the paymaster in Florida, and had not been recovered.

The plaintiffs objected to this evidence on two grounds:

1st. That the facts alleged, if proved, constituted no defence to the bond on which suit was brought.

2d. That the defendants had not proved that the claim for the proposed credit had been presented to the accounting officers of the treasury, and had been by them disallowed, in whole or in part; nor that they were, at the time of the

Case in p. 31 of [illegible]
[illegible] Rec 58

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> trial, in possession of vouchers not before in their power to produce, nor were prevented from exhibiting a claim for such credit at the treasury by reason of absence from the United States, or some unavoidable accident.

This objection the court overruled and permitted the evidence to go to the jury. (Record, p. 13.)

In its charge to the jury the court said: "To entitle the defendant to a deduction from the amount for which he is now sued on the ground of robbery, the jury should be satisfied of two things from the evidence: "1st. That a robbery was in fact committed as alleged, and that the amount of public money was stolen from him as charged; and, 2d. If satisfied of these facts, then the jury should be further satisfied from the evidence that such robbery did not occur from any want of due care and vigilance on the part of the defendant in its preservation and safe-keeping." (Record, p. 31.)

The plaintiffs objected to so much of the charge of the court as referred to the matters given in evidence relative to the alleged theft or robbery under the defendant's special plea. This objection was also overruled, and the plaintiffs excepted. (Record, p. 32.)

POINTS.

First Point. It is an adjudicated principle that the felonious stealing, taking, and carrying away the public moneys in the custody of a receiver and disburser of public moneys without any fault or negligence on his part, does not discharge him or his sureties from the obligation of his official bond, and constitutes no defence to an action by the United States on that bond.

This point was distinctly and deliberately decided by this court in the following cases:

United States *v.* Prescott et al. (3 How., 578.)
United States *v.* Morgan et al. (11 How., 160.)

The case of U. S. *v.* Prescott is precisely the case before the court. The defendant was receiver of public moneys at Chicago, and gave bond for the faithful discharge of the duties of his office, which required him to keep safely all the public moneys in his custody, and to pay over the same when required so to do. In the action brought against him and his sureties for the recovery of moneys entrusted to his care, the defendant pleaded that a portion of the same had been stolen from the office without any fault or negligence on his part. On a demurrer to this plea by the United States, the very question arose, and was certified to this court for its opinion, whether that fact constituted a good and valid defence to an action on his official bond for the recovery of the stolen money. An attempt was made by the counsel for the defendants to bring their liability within the principles applicable to a depositary for hire. But this court (Mr. Justice McLean delivering its opinion) dismissed the argument with these remarks: "This is not a case of bailment, and, consequently, the law of bailment does not apply. The liability of the defendant, Prescott, arises out of his official bond and principles which are founded upon public policy. * * * The condition of the bond has been broken, as the defendant, Prescott, failed to pay over the money received by him when required; and the question is, whether he shall be exonerated from the condition of his bond on the ground that the money had been stolen from him? The objection to this defence is that it is not within the condition of the bond; and this would seem to be conclusive. * * * * Public policy requires that every depositary of the public money should be held to strict accountability. Not only that he should exercise the highest degree of vigilance, but that he 'should keep safely' the moneys which come to his hands. Any relaxation of this condition would open the door to frauds, which might be practiced with impunity. A depositary would have nothing more to do than to lay his plans and arrange his proofs so as to establish loss, without laches on his part. Let such a principle be applied to our postmasters, collectors of customs, receivers of public moneys, and others who receive more or less of the public funds, and what losses might not be anticipated by the public? As every depositary receives the office with a full knowledge of its responsibilities, he cannot, in case of loss, complain of hardship. He must stand by his bond, and meet the hazards which he voluntarily incurs." (3 How., 587-'8-'9.)

These remarks of Mr. Justice McLean are strictly pertinent to the case at bar. The bond here in suit required the defendant to execute and faithfully discharge his duties as paymaster; to regularly *account*, when required, for *all* moneys received by him; to *refund* at any time, when required, *any public moneys* remaining in his hands *unaccounted for*. (Record, p. 80.) His liability and that of his sureties must, therefore, be determined by the principles laid down by this court in the case referred to.

In the subsequent case of United States *vs.* Morgan et al., (11 How., 160,) this court applied those principles with the same rigor in an action by the United States against a collector of customs, which sought to charge him for certain treasury notes received in payment of duties after they had been previously taken in the same way and cancelled by him. The defence was that the notes, after being cancelled, had been stolen, without the knowledge, consent, fault, or negligence of the collector. The court said: "It is manifest that if the notes, though cancelled for security in keeping them till transmitted, were still to be regarded as money for any purpose, the collector must be considered as liable for their amount till paid to the department, or actually delivered at the post office, in conformity with the orders of the department. It would thus be a liability on his bond to pay over what money he had received; or it would be a liability to perform his duty, as promised in his oath and bond, to transmit or pay over the notes; and which, considering them as money, it cannot be pretended he has done. * * * * The argument which has been pressed to exonerate him rests on an erroneous impression that he was acting as a bailee, and under the responsibilities of only the ordinary diligence of a depositary as to the cancelled notes, when in truth he was acting under the conditions of his bond. He did not receive them as bailee, but as a collecting officer. He is liable for them on his bond, and not on any original bailment or lending. And if the case can be likened to any species of bailment in forwarding them by which they were lost, it is that of a common carrier to transmit them to the treasury, and in doing which he is not exonerated by ordinary diligence, but must answer for losses by larceny and even robbery." (2 Salk., 919; 8 Johns, 213; Angel on Carriers, §§ 1, 9.)

The ruling and charge of the court below were in direct violation of these adjudications. The learned judge told the jury that the defendants were entitled

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to a credit for the money stolen from the paymaster, if they believed the theft was not occasioned by his fault or negligence; whereas this court had twice decided that such a defence, in an action against a receiver and disburser of public moneys and his sureties, was not admissible, whether the liability of the parties be determined by the condition of their bond, or in the light of principles inculcated by public policy.

U Stat [illegible]
Dashiell

Second Point.—The claim for a credit for the amount of money alleged to have been stolen from the paymaster was also inadmissible on the trial, because it did not appear that the claim had been presented to the accounting officers of the treasury and to have been disallowed by them; nor that the defendant, Dashiell, was, at the time of the trial, in the possession of vouchers not before in his power to produce, or was prevented from exhibiting the claim at the treasury by absence or unavoidable accident.

Act March 3, 1797, sec. 4. (1 Statutes at Large, 512.)

(1.) All suits brought against persons accountable for public moneys and their sureties are within the 4th section of the act of 1797.

United States *vs.* Giles, 9 Cranch, 257.
United States *vs.* Hawkins, 10 Peters, 133.
United States *vs.* Lyon, 2 McLean, 251.

(2.) That section comprehends all claims for credits to which defendants in such suits may be legally or equitably entitled, and requires that all such claims and credits shall have been disallowed at the treasury before they can be established, allowed, or admitted in suits instituted by the United States.

United States *vs.* Wilkins, 6 Wh., 144.

United States *vs.* Bank of Metropolis, 15 Peters, 392.
United States *vs.* Mann, 2 Brock, 13.
United States *vs.* Ingersoll, Crabbe, 140.

(3.) The fact that the credit claimed in any such suit has been presented and disallowed at the treasury must be shown by the defendants.

United States *vs.* Martin, 2 Paine's C. C. R., 69.

(4.) It appears affirmatively from the accounts rendered by the defendant, Dashiel, which were given in evidence by the United States, that a claim for credit for the amount alleged to have been stolen from him was never presented at the treasury; but, on the contrary, that the said defendant did charge himself in his accounts with said money as liable therefor to the United States.

See *Account Current*, March 31, 1858, (Rec., pp. 133–4.)

The balance of $19,085.73 certified by him in that account to be due the United States included the money which he subsequently alleged was stolen from him. It is his own final statement of his indebtedness to the United States, and it contains a distinct acknowledgment of his liability for the money claimed in the present suit.

The judgment of the district court should be reversed.

HENRY STANBERY,
Attorney General.
J. HUBLEY ASHTON,
Assistant Attorney General.

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